



## **Legislative and Regulatory Update**

Rehabilitation Managers Meeting

March 8, 2017

# Who is GSHHA ?

- HCANH Advocacy Affiliate
- Same Board of Directors
- Legislative Committee
- Annual Policy Statements
- Lobbying Team
  - Gina Balkus
  - Sheehan Phinney Capitol Group
    - Henry Veilleux
    - Bruce Berke



# Federal Relations



GSHHA collaborates with:

- NAHC
  - Forum of State Associations
  - March on Washington
- VNAA
  - Public Policy Summit
- Council of State Associations
- Northeastern state associations

# Federal Legislative Efforts

- **Home Health Planning Improvement Act, 2017**

- S. 445, Sen. Collins (ME) & Sen. Cardin (MD)
- Allows NPPs to certify Medicare home health
- 2016 co-sponsors – 52 Senators and 206 Representatives
- NH Senators have been supportive

- **Preserve Access to Medicare Rural Home Health Services Act, 2017**

- S. 353, Sen. Collins (ME) & Sen. Cantwell (WA)
- Current 3% rural differential payment will expire on 12/31/17.
- This bill extends the rural add-on through December, 2022.

# Affordable Care Act – Repeal and Replace

- Plan released this week in the House of Representatives
- Too soon to tell its impact on home health services
- Watching:
  - Regulatory relief for Medicare
  - Medicaid expansion
  - Medicaid block grants

# Federal Regulatory Efforts

- **Face-to-Face Encounter/Certification Reform**

- Congress should direct CMS to allow beneficiaries' eligibility to be determined by the entire patient record, not just the physician/hospital record
- Congress should enable CMS to negotiate backlogs of denied claims

- **Medicare Home Health Conditions of Participation (COPs)**

- New COPs take effect on 7/13/17.
- Home health agencies cost to implement: \$300 million first year,
- Home health agencies annual compliance cost: \$260 million
- CMS should delay effective date to 7/13/18.

# Federal Regulatory Efforts

- **Medicare Home Health Pre-Claim Review**
  - Demo: Illinois, Florida, Massachusetts, Texas and Michigan
  - Currently in Illinois; starting 4/1 in Florida
  - Florida congressional delegation asked for replacement and delay
  - CMS should end the demo and explore effective alternatives to correcting minor document deficiencies
- **NGS Home Health POE**
  - Provide input to NGS on provider issues
  - HCANH serves as a resource to agencies on payment/review issues

# State Legislative Efforts



- **GSHHA monitors over 50 bills a year**
  - State budget
  - Medicaid
  - Facility licensure
  - Professional licensure
  - Employment
  - Non-profit issues
  - Any issues that affect agencies or our clients



# House Bill 1 and 2 – State Budget

- NH's state budget is set biennially
- Fiscal year begins July 1
- GSHHA monitors funding for Choices for Independence home care services and supports
  - Nursing
  - Home health aides
  - Personal care service providers
  - Homemakers
- 2015 – 5% rate increase – first in 10 years
- Rates are still inadequate

# Other bills of interest

- SB 152, re: criminal history checks for certain health care workers
- HB 442, re: criminal checks in employee application process, *ITL – 3/8*
- HB 538, requiring temporary licensure for a person holding an occupational license in another state or country, *OTP/A – 3/8*
- SB 212, establishing the PT licensure compact
- SB 155, re: implementation of Medicaid managed care
- Many bills on medical cannabis

# State Regulatory Efforts

- Implementation of Medicaid Managed Care Step 2
  - SB 553 Stakeholders Group
- Renewal of the CFI Waiver
- Rules revisions for professional licensure, facilities licensure and state program rules
- Electronic visit verification for Medicaid PCA services

# The Voice of Home Care in New Hampshire

- GSHHA helps members foster relationships with legislators
  - Legislative events
  - Home visits
  - Grassroots advocacy and alerts
  - *Legislative Bulletin*
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- **Questions?** Contact Gina Balkus at [gbalkus@homecarenh.org](mailto:gbalkus@homecarenh.org)