

Copy of LeadingAge Connecticut's previous comments to DSS on the Medicaid 1115 Demonstration Waiver Application:

July 5, 2012

Mark Schaefer, Ph.D., Director
Medical Care Administration
Department of Social Services
25 Sigourney Street
Hartford, CT 06106-5033

Re: Proposed New Medicaid 1115 Demonstration Waiver Application

Dear Dr. Schaefer:

LeadingAge Connecticut appreciates the opportunity to comment on the Proposed New Medicaid 1115 Demonstration Waiver Application.

LeadingAge Connecticut (www.LeadinAgeCT.org) is a membership organization representing over 130 mission-driven and not-for-profit provider organizations in the state of Connecticut. Our members serve older adults across the continuum of long term care and are committed to providing quality care and services to their residents and clients.

It is our understanding that Connecticut intends to make changes to its Medicaid for Low-Income Adults (LIA) program in order to keep up with the anticipated expenditure demands of the current program's growth. One of the proposed changes is to limit coverage for nursing facilities under the LIA demonstration to 90 days per admission, and those individuals in need of longer-term nursing facility stays will be encouraged to apply for Medicaid coverage under other eligibility groups that qualify for long-term care. LeadingAge Connecticut's comments will address this proposed change.

The state is currently experiencing severe delays in the Medicaid long-term care eligibility process that have resulted in significant periods of non-payment for nursing facilities that are caring for Medicaid applicants whose eligibility status is pending. This experience causes us to be concerned as we review the proposed changes to the LIA nursing facility benefit and the potential gap in coverage and payment once the 90 days of LIA coverage is exhausted.

It is our understanding that the resident who chooses to stay in a nursing facility after the 90 days of LIA coverage must initiate a spend down of their assets and apply for long-term care Medicaid in order to obtain coverage for their extended stay. We have a series of questions regarding this transitional time period:

- *Will the Department of Social Services provide technical Medicaid eligibility assistance to a LIA covered nursing facility resident after a 90 day stay if that resident chooses to stay in a nursing facility?*
- *Will the LIA covered nursing facility resident have access to assistance from the Money Follows the Person program if they choose to seek community placement after a 90 day stay?*
- *Will a nursing facility be able to initiate or facilitate discharge from the facility when the LIA coverage is coming to or has come to an end?*

As a representative of skilled nursing facilities, LeadingAge Connecticut is very concerned that unless nursing homes are expressly permitted to issue notices of discharge prior to the date that LIA coverage ends, then the LIA resident will have no reason or incentive to apply for long-term care Medicaid coverage for the rest of their stay, resulting in no coverage or significant delays in coverage. This circumstance will potentially result in extended periods of uncompensated nursing home care being provided after the state ceases LIA coverage for the nursing facility stay.

We urge the Department of Social Services to address this concern and to impose rules that would assist in and encourage cooperation with the transition to long-term care Medicaid coverage after 90 days and which would allow discharge proceedings for non-payment if necessary. For example, we suggest that DSS be required to notify LIA beneficiaries entering nursing homes upon admission that their coverage is limited to 90 days and that the facility will be permitted to begin the process of involuntary discharge and discharge planning at least 30 days before coverage ends. In addition, nursing homes should be expressly permitted to issue notices of involuntary discharge before the LIA 90 day coverage expires. This will encourage LIA residents to cooperate in making the filings necessary to transition to long-term Medicaid and will protect the facility from incurring losses once LIA coverage ends.

Thank you for the opportunity to comment on the Proposed Application.