

LeadingAge and Home Health Members: Partners in Providing Quality Care to Older Adults

April 2019



LeadingAge[®]

Home health and home care are essential elements of a high-quality, post-acute and long-term services and supports (LTSS) system. As a community service, they can bridge different components of the care delivery system for older adults.

That's why home health providers are a valuable part of LeadingAge.

And that's why LeadingAge wants to be sure that members who are home health and home care providers are aware of all the services and resources we have to offer.

The following guide offers an overview of the benefits home health and home care providers enjoy as LeadingAge members.

These benefits include access to:

- Expert advocacy in the nation's capital on issues that matter most to home health and home care providers, consumers, and their families.
- A wide variety of services and resources designed to help you continue offering the highest quality home health and home care services within a rapidly changing post-acute and long-term care system.
- Myriad opportunities to share your concerns and best practices with LeadingAge home health and home care experts and other home health and home care providers.
- Access to a variety of educational opportunities to help you address new challenges and take advantage of new opportunities in the home health and home care field.
- Analysis of future policy and regulatory changes including the movement towards a unified post-acute care payment system and assessment elements.

Like all LeadingAge members, home health and home care providers also benefit from an ever-expanding collection of LeadingAge services, resources, and tools to help you:

- Enhance the leadership and management skills of executives at all levels of your organization.
- Bring evidence-based best practices and programs to your service settings.
- Gain support for your efforts to develop a high-quality workforce.
- Thrive in Medicaid and Medicare managed care environments.

Finally, LeadingAge membership offers providers in all segments of the LTSS field an unprecedented opportunity to participate in a community of professionals with a well-earned reputation for working together to solve problems and

create new opportunities to better serve an aging America.

What Do Home Health and Home Care Members Gain from LeadingAge Membership?

As LeadingAge members, home health and home care providers enjoy the following unique benefits:

1. Advocacy to Support and Strengthen Home Health and Home Care Programs Nationwide

The last several years have been particularly active for home health agencies from the updated Medicare conditions of participation to the Patient-Driven Groupings Model (PDGM) to proposals around a Medicare unified post-acute care prospective payment system. Home care services have also been at the forefront of Medicaid efforts to rebalance the LTSS delivery systems and serve more people in home and community-based settings. LeadingAge has maintained a consistent focus on the impact of these changes on home health and home care policy and practice by tracking legislative and regulatory developments, convening opportunities to bring the voice of the Centers for Medicare and Medicaid Services (CMS) to our members and our members' voice to CMS, monitoring changes in practice, working with our home health and home care providers, and advocating for meaningful quality measurement in home health settings.

Our legislative work during the 115th Session of Congress (2017-2018) touched on several issues that are important to hospice providers. We will continue to work on similar legislative proposals during the 116th Congressional Session (2019-2020), which includes:

- **Removing Behavioral Assumptions from PDGM-** LeadingAge opposed the behavioral assumptions payment adjustments included in the PDGM particularly before any behaviors can be observed. We support current legislation in the 116th Congress that seeks to base Medicare home health payment adjustments on observed behavior as opposed to prospective assumptions.
- **Regulatory Relief-** In 2017, the House Ways and Means Committee asked LeadingAge for proposals on requests for regulatory relief. We submitted over 20 proposals, including eliminating the home health face-to-face physician encounter documentation requirement and developing a targeted approach to combat inappropriate billing practices that focuses on providers that appear to be billing for aberrant patterns of home health utilization, not an approach that cast the regulatory burden on providers that are complying with eligibility and billing regulations.
- **Therapy Caps-** Successfully including a provision in the Bipartisan Budget Act of 2018 (P.L. 115-123), which repeals application of the Medicare outpatient therapy caps but retains the former cap amounts as a threshold above which claims must include the KX modifier as a confirmation that services are medically necessary. LeadingAge worked to ensure the inclusion of this and other provisions of the final law.
- **Rural Add-On-** Even though the government is taking a more targeted approach to how they pay the add-on payments to rural home health agencies, LeadingAge is pleased the home health rural add-on will continue. There will be a range of 0.5% to 4% rural add-on payment based on the year, the number of episodes, and population density. The legislation orders an OIG Report to evaluate the impact of the additional payments on access to home health services in rural areas.
- **Community-Based Institutional Special Needs Plan-** We supported the Community-Based Independence for Seniors Act which sought to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries. The legislation sought to furnish supplemental benefits such as home care services, home delivered meals, respite care, and adult day care services.
- **Money Follows the Person-** Due in part to LeadingAge advocacy, we are pleased to see that the Money Follows the Person demonstration was extended by the Medicaid Extenders Act of 2019. We will continue to

advocate for a longer extension beyond the three months in the enacted legislation to continue to increase the availability of home and community-based services such as home care through Medicaid.

LeadingAge serves as the eyes and ears of its members in Washington by tracking policy issues in the Administration, particularly at the Department of Health and Human Services (HHS). Currently our work focuses on several areas:

- **Home Health Prospective Payment System Rule-** Each year, we track the notice of proposed rulemaking for the Medicare home health prospective payment system, along with associated policy and regulatory changes. We summarize the proposed rule for members, engage with the LeadingAge Home Health Advisory Group to help shape the comments we submit, and update members when the final rule is released. We are focused on the transition to the PDGM.
- **Home Health Review Choice Demonstration-** We are tracking CMS' Home Health Review Choice demonstration that seeks to offer flexibility and choice for providers and implements changes that reward providers for being compliant while vigorously protecting precious federal program resources. LeadingAge recognizes that CMS must find ways to identify and combat fraud. However, instituting a choice demonstration that will likely harm beneficiaries and impede access to care is not the solution.
- **Fair Labor Standards Act for Home Care Final Rule-** We have tracked the Department of Labor final rule and associated court cases on the Fair Labor Standards Act specific to domestic service which applies to direct service workers for home care providers. LeadingAge continues to monitor the implementation of the rule and informs members when guidance is released, such as Field Assistance Bulletins.
- **Medicare Advantage Developments-** We are following the inclusion of home and community-based services as supplemental benefits within Medicare Advantage health plans. Plans will be able to offer new optional supplemental benefits for enrollees that are chronically ill. Benefits do not have to be "primarily health-related," nor uniform across populations. They can be targeted to the needs of individuals.

2. Services, Resources, and Tools for Home and Health Care Members

LeadingAge provides myriad opportunities for home health and home care providers to learn about new trends in the field and participate in forums to share their own experiences. These opportunities include:

- **Offering Access to Listservs, Networks, and Advisory Groups-** Home health and home care members participate in LeadingAge's Home Health and HCBS Listserv and Home Health Advisory Group, as well as conference networking events designed to connect them with peers across a variety of professional disciplines.
- **Home Health Medicare Rate Calculator-** Annually we share with members a tool that provides the proposed Medicare reimbursement rate for the given year for each home health resource group per chosen geographic area.
- **Connecting Home Health and Home Care Providers with CMS-** We worked with CMS to host a small-group, facilitated session on home health and home care during the 2018 LeadingAge Annual Meeting as part of CMS's Patients Over Paperwork Initiative.
- **Conducting Housing Plus Services Research-** The LeadingAge LTSS Center @UMass Boston, a research partnership between LeadingAge and the Gerontology Institute at the University of Massachusetts Boston, maintains a research focus on housing plus services models. Serving as a national catalyst for the development, adoption, and support of innovative affordable housing solutions that enable older adults with low and modest incomes to age safely and successfully in their homes and communities can expand the opportunities and role for home health and home care services in our aging society.

- **Offering Managed Care Solutions-** In November 2018, LeadingAge launched the Center for Managed Care Solutions and Innovations, which aims to help members thrive in Medicare and Medicaid managed care environments. The center offers tools, presentations, webinars, research findings, and other resources that are meaningful and useful to all LeadingAge members, including home health and home care members.
- **Promoting Workforce Solutions-** Recruiting and retaining staff at all levels is the single largest challenge aging services providers face. The LeadingAge Center for Workforce Solutions provides tools, presentation materials, promising practices, and other resources for all LeadingAge members, including home health and home care providers.
- **Holding Town Hall Conversations-** Working in partnership with LeadingAge state partners across the country, we held 34 Town Hall Conversations between March and October 2018 to identify the key issues and concerns that keep LeadingAge members up at night. The information we collected helps support our advocacy efforts and will be incorporated into LeadingAge's 2019 policy priorities. We plan to continue asking members, including home health and home care members, to share their challenges and ideas with us.

3. Learning Opportunities for Home Health and Home Care Providers

Annual Meeting- The LeadingAge Annual Meeting & EXPO features more than 200 concurrent sessions on a range of topics relevant to aging services providers across the continuum of care and services. Each year's conference program features a home health and/or hospice Deep Dive Workshop. In addition, our education offerings focus on a range of topics—including dementia, wellness, technology, workforce, leadership, and marketing—that appeal to a wide variety of providers, including home health and home care providers. Recent home health and home care related conference sessions explored:

- Expanding into Home Health and Hospice
- Anatomy of a Life Plan at Home Program
- Home for Life: Enhanced Service Coordination in the Community
- Creating Career Paths for Nursing and Home Health Workers
- Operationalizing Home Health
- Home and Community-Based Services Policy Forum

Leadership Summit- The LeadingAge Leadership Summit is designed for C-level positions and features an advocacy-focused Lobby Day with scheduled visits to congressional offices on Capitol Hill. The conference program features shared learning and visioning sessions filled with high-level discussions that home health and home care providers can apply to their work.

Learning Hub- Our centralized online source for education programs is designed to address the diverse professional development and education needs of individuals working across the entire spectrum of aging services, including home health and home care. One popular resource, "Best Practices in Non-Medical Home Care Services," highlights what aging services providers need to know to achieve excellence in the delivery of non-medical home care services. Learning Hub content also focuses on a range of topics, including leadership, dementia, and managed care, which home health and home care providers are sure to find relevant.

Leadership Programs- Our year-long Leadership Academy is designed to enhance the leadership skills and core competencies of nonprofit leaders within the LeadingAge membership. In addition, our Leadership Educator Program helps to build a pool of experienced LeadingAge members who can lead leadership programs. There's no better way for home health and home care providers to learn new leadership skills and expand the expertise of emerging leaders in the home health and home care field.

4. Access to Experts in The Home Health and Home Care Field

A key benefit for all LeadingAge members is the access they enjoy to a highly respected national team that brings unparalleled expertise to the issues facing providers of aging services. Several members of our team have expertise and experience addressing issues that matter most to home health and home care providers. We invite you to call on us at any time to ask questions, seek advice, and offer your opinions about issues affecting the work you do.

Our team includes:



Ruth Katz: senior vice president for policy, came to LeadingAge from the Office of the Secretary for Planning and Evaluation at HHS where she helped produce a series of reports on hospice-related and end-of-life care. Ruth and her HHS team also worked on hospice and palliative care issues with the National Institutes on Aging, Administration for Community Living, and CMS.



Janine Finck-Boyle: vice president for regulatory affairs, leads the organization's team of regulatory experts that provide analysis and response to federal regulation across provider teams. Janine is a licensed nursing home administrator and brings real-world perspective to LeadingAge's policy and advocacy work. Janine has worked in both the nonprofit and for-profit sectors. She has led nursing homes services at both the administrator and CEO levels.



Brendan Flinn: director of HCBS, is responsible for developing, refining, and implementing LeadingAge's national agenda for HCBS. Brendan helps LeadingAge members plan and implement community service programs. He also tracks and addresses issues that arise for Medicaid home care services. Working with members, the advocacy team, and other LeadingAge leadership, Brendan establishes the association's public policy priorities in HCBS and develops strategies to meet those objectives.



Aaron Tripp: vice president for reimbursement financing and policy, leads the organization's work on Medicare and Medicaid payment issues. This includes developing meaningful analytics and tools for LeadingAge members as well as providing advisory support on federal rules and legislation that impact how aging services providers, including those of home health and home care providers, receive payment. He also contributes to LeadingAge's efforts to achieve broader reform in LTSS financing.



Andrea Price-Carter: manager of congressional affairs, is the lead lobbyist covering home and community-based services issues. She works to increase the touchpoints that we have been able to maintain on HCBS with key members of Congress. Before joining LeadingAge, Andrea developed her lobbying skills as director of government relations for the National Association for the Support of Long-Term Care, and with AARP's Federal Affairs Health Team.