

AUGUST 2019

# LeadingAge<sup>®</sup> PA ADVOCACY UPDATE

## STATE BUDGET FOR 2019-2020

The state budget for 2019-2020 as enacted included a number of positives for our members:

- The Nonpublic Medical Assistance Day One Incentive Payment was increased to \$16 million from \$8 million, and provides additional funding to nursing facilities with 65% Medical Assistance (MA) occupancy and 85% overall occupancy.
- As part of the three-year reauthorization of the nursing facility provider assessment and the Budget Adjustment Factor (BAF), LeadingAge PA was able to secure assurances that providers will receive their provider assessment/access to care payments prior to the deadline to make their assessment payments to DHS. Additionally, DHS agreed to keep the percentage of funds available for these payments constant and not take more for nursing facility rate payments. Finally, DHS agreed to discuss and evaluate any changes to the case mix rate system or BAF with LeadingAge PA and the other associations before making any future changes.
- For our affordable housing members, the cap on the amount of revenue the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund receives from the Realty Transfer Tax was increased from \$25 million to \$40 million, which will provide additional revenue for housing development and related activities.
- Unfortunately, we were not successful in our efforts to obtain an overall rate increase for MA nursing facility rates. We have already begun to plan our advocacy for next year.

WIN!

## MEDICAL ASSISTANCE FOR ASSISTED LIVING

LeadingAge PA has been successful in having legislation introduced that would require the Department of Human Services (DHS) to include assisted living services in the Community HealthChoices program. House Bill 1442, sponsored by Representative Steve Mentzer (R-Lancaster), would also require DHS to review waivers of some physical property regulatory requirements. We urge LeadingAge PA members to contact their member of the State House and ask them to pass HB 1442.

WORKING

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## TORT REFORM

Earlier this year, there was a proposal related to procedural rules of civil litigation that would allow medical liability lawsuits to be heard in counties other than where the incident occurred. This is commonly known as venue shopping. LeadingAge PA submitted comments to the Committee of the Pennsylvania Supreme Court in support of a Senate resolution that would not allow this to move forward until the Legislative Budget and Finance Committee (LBFC) studied the issue. Earlier this summer, LeadingAge PA staff attended hearings held by LBFC in their effort to obtain insight into what may occur if venue shopping is allowed in Pennsylvania again. The LBFC report is due January 1, 2020.

**WORKING**

## INDEPENDENT SENIOR LIVING FACILITY PRIVACY ACT

LeadingAge PA is working on a revised version of House Bill 2291 (last session) that stemmed from an incident where the Department of Human Services knocked on the doors of residents in an independent living community and questioned them about their care needs. The revised language offers some protections for both independent living providers and residents. We will inform members when the co-sponsor memo is available.

**WORKING**