

RI REVAMPS LONG-TERM CARE UNDER “GLOBAL WAIVER” -- SENIOR AGENDA WINS STRONGER OVERSIGHT OF CHANGES

“Democracy means paying attention” John Dewey

On January 16, 2009, after a year of planning, public debate and legislative approval, Rhode Island’s Department of Human Services received approval of a “global Medicaid waiver” agreement with the federal government. It permits greater flexibility that allows an extensive restructuring of all of Rhode Island’s Medicaid-funded programs. State officials hope this will save money while hastening the “rebalancing” of long-term care services for the elderly toward more community-based services and less residential care. However, in return for receiving this flexibility, the state has agreed to cap total state and federal Medicaid spending at \$12.07 billion over the next five years.

Why Medicaid matters Medicaid provides medical care and supportive services for the poor. It is funded by state dollars that are matched by federal funds. It covers acute and long-term care medical services for 180,000 Rhode Islanders, including long-term care for 18,000 seniors and 27,000 disabled adults. Medicaid provides the ultimate “safety net” for low-income frail elders who require supportive services for activities of daily living.

Rebalancing long term care For seniors with very limited resources and income, Medicaid guarantees them nursing home care if they need assistance with daily living. However, 95% of seniors, including those with chronic illness, strongly prefer to remain in their own homes. Nursing home care is expensive, costing on average about \$80,000 per year. For that reason, in recent years Rhode Island, via federal “waivers”, has launched innovative programs to “rebalance” long-term care by providing a wider range of home and community-based services (HCBS) for the elderly. These services, which typically cost between \$17,000 and \$35,000 per year, include *residential assisted-living*, *home health aide services*, *homemaker services*, and *adult day programs*. Yet Rhode Island’s efforts have lagged behind many other states, and today about 87¢ of every long-term care dollar is spent on nursing home care.

Concerns about implementation of the global waiver There are several major areas of concern. One is a lack of details on how the waiver will be implemented. The waiver document is not specific about how the “new RI Medicaid program” will work. Public hearings have also lacked specifics. One major change that has been spelled out is that seniors will have to demonstrate a greater need for assistance with daily living activities in order to be guaranteed nursing home care. This could leave some frail elderly languishing on waiting lists. The second concern is that Rhode Island’s state agencies, having lost hundreds of their most experienced staff through retirement, will struggle to implement such a complex restructuring. A third worry is that Rhode Island might lose federal stimulus dollars routed via Medicaid if they exceeded the 5-year cap.

Senior Agenda Coalition wins legislative oversight of waiver implementation. Under legislation enacted in 2008, the RI General Assembly had the option of vetoing the waiver within 30 days of its federal approval. During the legislative hearings on this issue, the Senior Agenda Coalition did not oppose the waiver, but urged the General Assembly to retain the final right of approval over any major changes in populations served or services provided under the waiver. We also suggested language to protect frail elders from waiting lists. Both the RI Senate and House listened to our concerns and have enacted legislation to that effect, a major victory.

Paying Attention The General Assembly has established a 12-member Joint Legislative Committee for oversight of the waiver. Senior consumers, advocacy groups, and providers will need to remain vigilant in monitoring the waiver's implementation and make their voices heard concerning its results. There will be a legislatively mandated Implementation Task Force comprised of consumers, advocates and providers that will meet regularly with the RI Department of Human Services concerning the waiver's implementation. The Senior Agenda will participate in that group.

Please contact the Senior Agenda Coalition by e-mail at senioragendari@yahoo.com or by phone at (401) 274-6900, ext. 205 if you have any questions, concerns or problems about long-term care services provided via Medicaid.