



September 15, 2022

The Honorable Ron DeSantis Governor
State of Florida
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Dear Governor DeSantis:

On behalf of the more than 2,200 home health agencies licensed by the Agency for Health Care Administration (AHCA), thank you for your service to the State of Florida. The purpose of this letter is to respectfully and urgently request your leadership to ensure that the Florida Medicaid program continues to foster a strong network of health care providers and maintain access to quality health care for the most vulnerable citizens in our state.

The Home Care Association of Florida (HCAF) is the premier trade association for the Florida home care industry. HCAF was formed in 1989 and exists to provide representation, communication, and advocacy for home care providers, as well as to provide them with the education and resources they need to provide quality, cost-effective home care services to their patients and clients.

This decision by the Florida Legislature to establish a \$15 minimum wage for Medicaid workers was a positive and essential response to the labor shortages and wage crisis adversely affecting Medicaid providers throughout the state. In accordance with the budget, Statewide Medicaid Managed Care (SMMC) health plans are responsible for ensuring that funds appropriated by the Legislature are used to increase wages for direct care employees under contract with the managed care plan in order to comply with the \$15 per hour mandate that will take effect on October 1, 2022.

HCAF has been in regular contact with Florida Medicaid and health plans regarding this issue since the spring. In a letter dated May 16, 2022, we requested that they amend contracts as soon as the budget for 2022-23 is approved. In addition, we warned that any delay would add untold costs to this community of small and large businesses already under stress due to COVID-19, staffing shortages, skyrocketing inflation, and rising fuel costs. **Based on voluminous provider feedback, we regret to conclude that health plans are not adhering to the spirit of the law despite the AHCA's minimum wage website clearly defining the responsibilities of health plans and providers.** The minimum wage mandate will take effect in less than three weeks, and we have not yet heard from any provider who has had their contract amended by a health plan to cover the minimum wage requirement.

Moreover, several home health agencies have informed us that they intend to discontinue participation in Medicaid due to the uncertainty as to whether health plans will pass on the additional funds appropriated in the budget to meet the \$15 minimum wage requirement. Although a primary objective of the SMMC program is to increase the percentage

of Medicaid enrollees receiving long-term care at home or in the community, its progress could be seriously hampered if more providers leave the program and patients are left with no choice but to seek more expensive facility-based care. To ensure that Medicaid-funded in-home care is accessible to enrollees, the State must act now in order to maintain a strong provider network.

We strongly recommend that the State delay the implementation of the \$15 minimum wage requirement for Medicaid workers for a minimum of 30 days. This will provide policymakers and stakeholders with the opportunity to engage in a dialogue and to ensure that all parties are acting in accordance with the budget in order to move our state's Medicaid program forward.

If you have any questions or if we can assist you in any way during this process, please do not hesitate to contact me at (850) 222-8967 or blolley@homecarefla.org.

Sincerely,

A handwritten signature in black ink that reads "Bobby Lolley". The signature is written in a cursive style with a large, stylized initial "B".

Bobby Lolley, RN
Executive Director

cc: The Honorable Kathleen Passidomo, Senate President-Designate
The Honorable Paul Renner, House Speaker-Designate
The Honorable Simone Marstiller, Secretary, Agency for Health Care Administration