

November 4, 2021

Simone Marstiller, Secretary  
Florida Agency for Health Care Administration  
2727 Mahan Drive  
Tallahassee, FL 32308

Dear Secretary Marstiller:

We are writing on behalf of the over 700 members of the Home Care Association of Florida (HCAF) to express our collective concern about the Agency for Health Care Administration's (AHCA) decision to require Medicare certification for home health agencies providing services to Medicaid recipients. The challenges we see immediately are:

- We expect the Medicare certification process to take longer than one year. The application must be completed, submitted, and accepted, the agency must admit 10 patients and provide them with skilled care at no cost, and then seven patients must be maintained until the deemed status survey is completed.
  - The accrediting bodies are extremely backlogged with surveys because they have only recently resumed surveys. We cannot estimate how long it will take for agencies to obtain accreditation due to this backlog.
  - Accreditation is very costly, costing \$8,000-\$10,000 per license.
  - The cost to serve a minimum of 10 patients could easily be upwards of an additional \$20,000, depending on the services provided.
- Home health agencies that are currently providing skilled or non-skilled care to Medicaid recipients through the health plans do so at razor-thin margins and might not have the financial cushion to be able to absorb the cost to obtain Medicare certification. This could put a lot of agencies out of business at a time when many Medicaid recipients are already going without services because there aren't enough caregivers available to serve the need and the Medicaid rolls creep toward five million enrollees.
- Agencies will have to meet the Centers for Medicare & Medicaid Services (CMS) Conditions of Participation (CoPs) to serve non-skilled long-term care (LTC) clients. Home health aides that have satisfactorily completed the state's Home Health Aide Competency Test and demonstrated competencies to work will not be eligible to serve these patients because they have not completed the CoP-required 75-hour training course. While an agency can provide the 75-hour training course, it requires additional time and money and can potentially exacerbate the health care workforce shortage crisis by removing more direct care workers from the pool.
- Reimbursements for services provided from the Medicaid health plans are abysmally low, with many plans paying the same low rates for nearly a decade. Holding LTC providers to the CoPs will increase costs even further.

HCAF represents our membership, however, we advocate on behalf of all Florida home health providers. While we appreciate AHCA's efforts to ensure quality care is provided to all Medicaid recipients, requiring Medicare certification cannot be the only option. Compliance with the state's statutes and rules is sufficient to meet these goals, and AHCA's and the accrediting bodies' surveys confirm this. Allowing providers to continue to provide services with limited enrollment in Medicaid is critical for recipients of these services. We ask that you consider meeting with us so that we may further discuss these issues and work together toward a reasonable solution.

Thank you for your time and consideration. I look forward to hearing from you.

Yours truly,



Bobby Lolley, RN  
Executive Director

Cc: Mary Beth Vickers, Policy Coordinator, Health and Human Services, Executive Office of the Governor