



Leadership Council of Aging Organizations

William (Larry) Minnix, Jr., Chair

December 15, 2011

Ms. Marilyn B. Tavenner
Acting Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, Maryland 21244

Dear Ms. Tavenner:

We, the undersigned members of the nonpartisan Leadership Council of Aging Organizations (LCAO), write to express our concerns regarding Florida's 1915(b) and 1915(c) waiver request that would create a mandatory program for the delivery of long-term services and supports in Medicaid through private proprietary health plans. The Florida Agency for Health Care Administration (AHCA) submitted this request to you on August 1, 2011.

We urge you to reject the waiver. As advocates for older adults and individuals with disabilities, we are concerned with the proposal to overhaul the state long-term services and supports (LTSS) delivery system based on a failed five-county managed care demonstration. The demonstration did not include the state's most frail and vulnerable residents, the LTSS population; therefore it is not justified to serve as a model for statewide expansion.

Despite this, the waiver the state proposes would require these vulnerable Medicaid beneficiaries to receive their nursing home, hospice, and home and community-based care through private managed care plans.

The request before you is the most expansive in the nation, and the state has not proven that such a system will safely and effectively serve older and disabled Floridians. We have concerns which include, but are not limited to, the state's ability to:

- monitor and provide effective oversight of such an expansion and transfer of state responsibility;
- ensure that untested private plans have the infrastructure necessary for an influx of vulnerable individuals who will be forced to enroll in them;
- ensure quality of care and appropriate program evaluation;
- provide access to the necessary community-based services for this population, and address current waiting list issues;
- ensure that older and disabled individuals are not dumped from nursing homes into the community without proper services and supports, as a result of the financial incentives provided to plans; and

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- provide the needed grievance and appeal process, and ensure enrollees receive benefits during the process.

For these reasons and more, we believe the application is flawed and not a model for other states. The current waiver request simply lacks the requisite assurances that the older and disabled population in Florida will continue to receive the care and services they need.

We urge you to deny the State of Florida's request for a 1915(b) and 1915(c) waiver and apply the same strict review to future expansion proposals from other states.

Sincerely,

AFSCME Retirees
Alliance for Retired Americans
Alzheimer's Foundation of America
American Geriatrics Society
American Postal Workers Union Retirees
American Society on Aging (ASA)
Association for Gerontology and Human Development in Historically Black Colleges and Universities (AGHDHBCU)
Association of Jewish Aging Services of North America (AJAS)
B'nai B'rith International
Center for Medicare Advocacy, Inc.
Families USA
Gray Panthers
LeadingAge
Jewish Federations of North America
Medicare Rights Center
National Academy of Elder Law Attorneys (NAELA)
National Association of Home Care and Hospice
National Association of Nutrition and Aging Services Providers (NANASP)
National Association of Professional Geriatric Care Managers (NAPGCM)
National Association of Social Workers (NASW)
The National Committee to Preserve Social Security and Medicare (NCPSSM)
National Indian Council on Aging, Inc.
The Consumer Voice for Quality Long Term Care
National Council on Aging (NCOA)
National Hispanic Council on Aging (NHCOA)
OWL-The Voice of Midlife and Older Women
PHI-Quality Health through Quality Jobs
Services and Advocacy for GLBT Elders (SAGE)
Volunteers of America

cc: Cindy Mann
Richard Jensen