



# Southern Tier Independence Center

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Written testimony regarding Governor A. Cuomo's 2016-2017 NYS Executive Budget Proposal and Health/Medicaid priorities:

Please accept this testimony from Southern Tier Independence Center (STIC) on the Governor's proposed 2016-17 Budget.

STIC is a Center for Independent Living (CIL), a non-residential not-for-profit community based agency serving people with all types of disabilities of all ages as well as their family members and service professionals. We support people with disabilities living independent, fully integrated lives in their communities. Please consider the following requests.

- 1. Please support prescriber prevails in all health care programs and oppose the prescriber prevails provision in the Governor's Budget.** The provision to eliminate prescriber prevails offers exceptions for antidepressants and atypical antipsychotics, but not all psychiatric medications. It does not provide exceptions for anti-retroviral, anti-rejection, epilepsy, seizure, endocrine, hematologic and immunologic therapeutic classes that have been previously protected. A patient's doctor should decide which medications are necessary and insurance companies should not. People with disabilities may have chronic conditions that require a complex combination of medications. In some cases only one specific medication is effective and an alternative medication may have adverse side effects that are harmful to the patient.
- 2. Please oppose the Governor's proposal to Reduce Community Spouse Resource Allowance to the minimum allowed by federal law.** A community spouse of an individual who is in a nursing home or enrolled in an MLTC plan should be able to keep the maximum allowed by federal law. With the high cost of living and community spouses needing their assets to pay for high medical expenditures the maximum resource allowance should be permitted.

3. Eliminating parental and spousal refusal will create a myriad of unnecessary financial and emotional stressors for individuals. A “refusing” spouse or parent of a minor child should not have to live separate from the Medicaid applicant for the applicant to receive Medicaid benefits. People should not have to spend down and impoverish themselves to receive adequate health care. The anticipated cost savings from the Governor’s proposal is small yet the impact on spouses and families is enormous. **Please preserve spousal and parental refusal. Both are extremely important and increase access to health care.**

4. **With the implementation of Delivery System Reform Incentive Payment (DSRIP) Program a top priority should be protecting Medicaid beneficiaries and the community based organizations upon which they depend.** This includes measuring patient health care experiences, making improvements accordingly, and investing savings generated by DSRIP into community based organizations that contribute to DSRIP project success.

5. While we support an increase to minimum wage, we are concerned that the Governor’s proposal does not ensure reimbursement or funding for providers and community based organizations that will have to honor the wage increase including Medicaid rates. The final budget must include funding in order to prevent negative effects on service delivery and program budgets.

6. The Governor’s proposal changes the eligibility standard for Managed Long Term Care (MLTC) from needing 120 days or more of home and community based services to requiring that individuals must need nursing home level of care in order to enroll in MLTC. People that are no longer eligible for MLTC may have to go back to the social services district for long term care services. **If this change happens we recommend that capacity be verified since local districts may not have the capacity to administer long term care services for a large number of individuals.**

7. We do not support the Governor’s proposal to remove transportation as a MLTC benefit because it creates a barrier for consumers accessing health care. Consumers need medical transportation to get to doctor appointments and it should be affordable and accessible.

8. The Governor proposes six additional children’s mental health services to the Medicaid benefit package. This will improve access to services for children with mental health needs, but funding must continue.

9. We are pleased to see base funding for the Independent Consumer Advocacy Network (ICAN) in the Governor’s Budget. ICAN is available to provide advocacy for people in need of long term care services, and the State plans to expand ICAN services to other Medicaid beneficiaries. **Please ensure ICAN has sufficient funding to continue and expand.** ICAN services are so very important since many health care enrollees do not understand the implications of entering or opting out of plans and do not know how to make complaints or

appeals regarding their health care plans, which ultimately affect quality and access to health care.

10. Please increase funding to \$4 million for Community Health Advocates (CHAs). CHAs assist people in understanding, using, and continuing their health insurance. This increase will allow the program to meet increasing demands with the many New Yorkers that have obtained health insurance.

11. Please require all insurance plans to offer an option for out-of-network coverage at the Silver and Platinum levels to promote accessible and affordable health insurance coverage. Also, please require insurance plans and providers to keep their contract for a full plan year. At this time a beneficiary has to stay in the Qualified Health Plan (QHP) until the next Open Enrollment Period even if the beneficiary's doctor leaves the QHP's network.

12. Please support the necessary exemption to the Nurse Practice Act (NPA) for Advanced Home Health Aides (AHHAs) to perform advanced tasks under the supervision of a registered nurse in home settings. AHHAs are necessary for implementing the Community First Choice Option (CFCO). This will allow individuals the opportunity to live in the community with necessary health care services. Otherwise they may be forced into institutions jeopardizing their rights and freedoms.

Thank you for your time and consideration of these health care priorities.

Respectfully submitted on behalf of STIC,



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