

Support HB377 (H. Kelly) and SB70 (L. Hough)

Modifies provisions relating to personal care assistance services in the Consumer Directed Services (CDS) program

BACKGROUND:

- The CDS program has seen enormous growth in both vendors and consumers over the last 10 years
- The number of providers continues to grow at an alarming rate
- Currently 808 CDS vendors and 107 pending contract applications (as of December 2018)
- Unfortunately, this program has also been MIS-LABELED as “wrought with fraud”
- Lack of authority and capacity of Missouri Medicaid Audit and Compliance (MMAC) to provide required oversight to the current providers
- Growing concerns about the lack of operational knowledge of new providers entering the program.

RECOMMENDATION: The home care industry recognizes these concerns and HB377/ SB70 is a step in ensuring the integrity of the current CDS program while also protecting this critical system that supports the many elderly and disabled to remain independent in the least restrictive environment and where they want to be, in their home and communities.

SUPPORT HB377 and SB70 because:

- Supports the true intent of the CDS program
- Supports MMAC in their ability to provide oversight and provider accountability
- Ensures quality services are delivered by requiring a Certified Manager Training and bi-annual face-to-face visits with each consumer
- Ensures consumer responsibility related to falsification of condition, functional capacity, or level of care need
- No barriers to small business owners or access to care issues
- Reinforces intent to establish a strong business model pursuant to state and federal regulations ([42 CFR 455.432](#); [13 CSR 65-2](#); [19 CSR 15-8.400](#)) and current contract proposal requirements with professional standards and credibility that promotes ethical and responsible use of Medicaid tax-payer dollars
 - Establishes a higher level of accountability for both the provider and consumer
 - Reinforces federal, state, and local business location requirements (such as ADA accessible)
 - Removes potential conflict of interest by requiring separation of duties and gives consumer a voice

HB377 and SB70 also include “clean-up” language that removes sections related to a 2013 Telephony Pilot project. It also removes the annual audit requirement due to no further action with audit once submitted to MMAC. The required Quarterly and Annual reports provide adequate information needed by MMAC.



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