

December 21, 2020

President-Elect Joseph R. Biden, Jr.
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

RE: Policies to Support Individuals with Functional Limitations and the Long-term Services and Supports (LTSS) System in the First One Hundred Days of the Biden Administration

Dear President-elect Biden,

On behalf of the National MLTSS Health Plan Association, I want to congratulate you and Vice President-elect Kamala Harris on your election as the 46th President of the United States and 49th Vice President of the United States, respectively. The COVID-19 pandemic continues to impact every part of society, but we are confident that you and your Administration are well-positioned to guide the country toward recovery through your extraordinary leadership and sound policy.

We write to you today to urge you to adopt a series of policies and recommendations within the first one hundred days of your Administration to support all individuals with functional limitations and the broader long-term services and supports (LTSS) system, including not just institutional care but home- and community-based services (HCBS) as well. Specifically, we urge you to:

- Prioritize distribution of COVID-19 vaccines, personal protective equipment (PPE), and COVID-19 tests to HCBS providers and the community-dwelling individuals they serve as well, in addition to those living in institutions;
- Provide states with continued access to the enhanced 6.2% federal medical assistance percentage (FMAP) offered under the Families First Coronavirus Response Act (FFCRA);
- Provide states with continued access to flexibilities for their LTSS programs during the pandemic with renewed Appendix K waivers and Section 1135 waivers; and
- Ensure that state Medicaid programs and their corresponding managed care programs, including managed long-term services and supports (MLTSS), can properly adjust for and accommodate the impact of COVID-19 on overall funding levels, actuarially sound rates, and enrollment.

The National MLTSS Health Plan Association represents health plans that contract with states to provide LTSS to beneficiaries through the Medicaid program. Our members currently cover the large majority of all enrollees in MLTSS plans and assist States in delivering high quality long-term services and supports at the same or lower cost as the fee-for-service system with a focus on ensuring beneficiaries' quality of life and ability to live as independently as possible. Beneficiaries who need assistance through LTSS are racially diverse, have a wide range of physical and cognitive disabilities and limitations, and span the entire age range with only half of the population above the age of 65.¹ Member organizations include Aetna Inc., AmeriHealth Caritas, Anthem, Centene Corp., Commonwealth Care Alliance, Includa Inc., L.A. Care Health Plan, Lakeland Care, Molina Healthcare, UPMC Health Plan and VNSNY CHOICE.

The Association's long-term priorities include (1) improving the quality of care for those with functional limitations through the advancement and improvement of MLTSS across the 24 states who currently operate an MLTSS

¹ Medicaid Expenditures for Long-term Services and Supports in FY 2016. Accessed at < <https://www.medicaid.gov/sites/default/files/2019-12/ltssexpenditures2016.pdf>>

program and to expand MLTSS to other states; (2) implementing broader reforms to the LTSS system to expand access, improve quality, and strengthen the workforce; and (3) advancing the integration of medical and non-medical care through integrated care for dually-eligible beneficiaries.

Based on these priorities, we were thrilled to learn of your plan for “Mobilizing American Talent and Heart to Create a 21st Century Caregiving and Education Workforce” announced earlier this year. Our work is well aligned with your priorities to expand access to LTSS by eliminating waitlists for HCBS, establish an LTSS innovation fund to promote rebalancing, leverage community health workers, and help build out the LTSS workforce by creating meaningful job opportunities and progression paths. The implementation of these policies would improve the lives of hundreds of thousands of individuals and we are excited to engage with you on these issues.

Unfortunately, the COVID-19 pandemic threatens the progress the LTSS community has made to date and potentially jeopardizes future progress as well without action to support the LTSS system overall and a specific focus on the HCBS workforce. We support addressing the needs of institutional LTSS providers but the federal government and states must prioritize and recognize the needs of the HCBS workforce as well. They are chronically overlooked under the pandemic despite the crucial role they serve. To this end, we strongly urge you to prioritize distribution of resources to these HCBS providers along with maintaining state funding through the enhanced 6.2% FMAP from FFCRA and flexibility to address their needs through Appendix K waivers and Section 1135 waivers.

The pandemic has also disproportionately impacted beneficiaries dually eligible for Medicare and Medicaid, which speaks to the need to address short-term issues with care for this population along with the need for broader reforms in the future. Based on CMS data², dually eligible beneficiaries are hospitalized because of COVID-19 at nearly four times the rate of Medicare-only beneficiaries (1,199 hospitalizations per 100k beneficiaries compared to 278 hospitalizations per 100k beneficiaries). The issue of racial disparities in COVID-19 outcomes unfortunately applies to this population on an even larger scale: black dually eligible beneficiaries are nearly nine times more likely than white Medicare-only beneficiaries to be hospitalized from COVID-19.³

We are extremely concerned about the potential impact of this national emergency on those who have functional limitations, their caregivers, the providers who serve them, and the broader LTSS system. We ask that you act swiftly to bolster support for these individuals and entities by providing access to much-needed resources and flexibilities. Thank you for your leadership and continued commitment to addressing the crisis that COVID-19 presents to all Americans. We stand prepared to work with you and your Administration to ensure the individuals we serve receive the best support possible. Please do not hesitate to contact us at any time with questions or for further information at mkaschak@mltss.org.

Sincerely,



Mary Kaschak
Executive Director

² Preliminary Medicare COVID-19 Data Snapshot. Accessed at <<https://www.cms.gov/files/document/medicare-covid-19-data-snapshot-fact-sheet-september2020.pdf>>

³ COVID-19: If Ever There Was A Time To Care About Medicare-Medicaid Integration, It's Now. Accessed at <<https://atiadvisory.com/covid-19-if-ever-there-was-a-time-to-care-about-medicare-medicaid-integration-its-now/>>