

## Community HealthChoices (CHC) Waiver Amendment Comments

### Amendment Effective 1/1/2022

Please fill in the information below when submitting your comments, including the specific sections of each Appendix on which you are commenting.

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Agency: Pennsylvania Homecare Association

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Section of Application	Comment
Appendix A-3: Use of Contracted Entities	<p>As the FMS transition proceeds, OLTL should ensure that the process is transparent, with frequent, ongoing opportunities for public participation, to ensure that all stakeholders understand the transition process and that the transition itself is as seamless as possible from a participant perspective.</p> <p>OLTL should ensure oversight of MCOs relating to network adequacy.</p>
Appendix C-1/C-3 Service Specifications  Participant-Directed Community Supports Personal Assistance Services	<p>PHA opposes any language providing that live-in PAS workers cannot be compensated for supervision and supports the Department's plan to remove this language from the waiver amendments.</p> <p>Future consideration should be given to modifying the waiver to provide for mileage reimbursement and PAS rates at the same time, when an agency care worker drives more than 30 miles, similar to other waivers.</p> <p>For example, mileage provided that is necessary for a consumer to engage in the community that exceeds 30 miles in a day should be authorized</p>

	<p>on the service plan and billed by the agency as Transportation Miles. When Transportation services are authorized and billed as a discrete service, PAS should be compensable at the same time for supervision, assistance and/or care provided to the participant during transportation.</p>
<p>Appendix C-1/C-3 Service Specification Specialized Medical Equipment and Supplies</p>	<p>PHA supports providing Personal Protective Equipment (PPE) for participants as Specialized Medical Equipment and Supplies, including that PPE can be added to a participant’s PCSP without the need for a physician’s prescription. This process should be more clearly explained to both providers and consumers, as there is still confusion about how to authorize and obtain this PPE. The waiver should also support PPE for caregivers/DCWs, when necessary, as it is critical for infection control and consumer care.</p>
<p>Appendix C-1/C-3 Service Specification: Palliative Care</p>	<p>For future consideration: Palliative care should be offered beyond end-of-life care as part of a person’s care, to improve quality of life and care throughout the course of a person’s illness or illnesses.</p>
<p>Appendix C-2-a: Criminal History and/or Background Investigations</p>	<p>Criminal Background checks, child abuse clearances and provisional hiring.</p> <p>The rules relating to criminal background checks should be the same for consumer-directed and agency provided PAS services. This is particularly true for paid family caregivers, or other circumstances where the consumer specifies his or her caregiver.</p> <p>The language in the waiver relating to background checks and child abuse clearances when a child resides in the home, incorporates requirements from Pennsylvania’s Child Protective Services Law (CPSL) that would not otherwise apply to agencies providing personal assistance services under the CHC waiver. OAPSA and the regulations cited, 55 Pa. Code, Sections 55.19 and 55.20, provide for provisional hiring in specified circumstances that the CPSL would not. Because the CPSL does not apply to PAS services providers (unless they are also providing services directly covered by the CPSL), the waiver background check requirements should be</p>

	consistent with the laws that do apply: OAPSA and the Code provisions listed above, both of which permit provisional hiring.
Performance Measures	For future consideration: OLTL should add performance measures to monitor and evaluate racial disparities in access and quality of services/care to ensure equity within the program.