

LONG TERM CARE MEDICAID EXPANSION SEQUESTRATION GUARDIANSHIP REFORM

INFORMATION ALL PROFESSIONALS NEED TO KNOW


LTC MEDICAID EXPANSION

- **Over 1.5 M recipients in managed care as of 2/2013 in Florida**
- **Two Managed Care Programs**
 - Florida Long-Term Care Managed Care
 - Florida Managed Medical Assistance
 - (all services other than LTC)

LTC PLANS

- **State divided into 11 regions**
- **Pinellas /Pasco – Region 5 Plans**
 - American Eldercare, Inc.
 - Molina Healthcare of Florida, Inc.
 - Sunshine State Health Plan
 - United Healthcare of Florida, Inc.
- **Five year contracting period (penalties for early withdrawal)**
- **Plan readiness deadline 11/2013, Enrollment date 2/2014**

MEDICAID RECIPIENTS REQUIRED TO ENROLL

- **Medicaid nursing facility patients**
 - **Assisted Living Waiver clients (ends)**
 - **Aged and Disabled Adult Waiver (ends)**
 - **PACE clients**
 - **Nursing home diversion clients (ends)**
 - **Channeling Services for Frail Elderly (not in Pinellas) (ends)**
 - **Consumer Directed Care Plus ADA Waiver (ends)**
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MEDICAID RECIPIENTS NOT REQUIRED TO ENROLL

- **Adult Cystic Fibrosis clients**
- **Familial Dysautonomia clients**
- **Project AIDS Care**
- **Traumatic Brain Injury/Spinal Cord Injury**


WHO DECIDES IF NHF CARE IS NECESSARY?

- **CARES**
 - 3008
 - 701(B)
- **Area Agency on Aging**
 - 701(A)
- **New Forms**
 - 701(S), 701(A), 701(B)


WHAT HAPPENS TO LTC CLIENTS ON MEDICAID?

- **Recipient will receive letter with info on how to enroll**
 - **Recipient will have 30 days to choose a LTC Managed Care Plan**
 - **Recipient may change plan during first 90 days**
 - **After 90 days, remain in plan for 12 months**
 - **Recipient to be re-evaluated every 12 months**
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FLORIDA LTC MANAGED CARE SERVICES

- **Adult Day Care**
 - **Attendant Care**
 - **Behavior Management**
 - **Caregiver Training**
 - **Care Coordination/Case Management**
 - **Companion Care**
 - **Home accessibility adaptation**
 - **Home-delivered Meals**
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FLORIDA LTC MANAGED CARE SERVICES


- **Hospice**
 - **Intermittent and skilled nursing**
 - **Medication Administration and Medication Management**
 - **DME and supplies, including incontinence supplies**
 - **Nursing facility care**
 - **Nutritional assessment and risk deduction**
 - **Occupational, Physical, Respiratory & Speech Therapy**
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FLORIDA LTC MANAGED CARE SERVICES

- Personal Care
- Personal Emergency Response System
- Respite Care
- Services provided in ALF's
- Transportation (non-emergency)

They WILL NOT provide other health care needs – the managed Medical Assistance Program will provide all services other than LTC

CONTRACTING

- **Between Oct. 2013 and Sept. 2014 each plan must offer a network contract to a nursing facilities, hospices and aging network service providers**
 - **After 12 months, plan can exclude NF for failure to meet quality or performance criteria**
 - **NF and hospices must participate with all eligible plans**
 - **Plans required to pay NH rates set up AHCA, however higher rates can be negotiated for complex care**
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SERVICE ENHANCEMENTS

- **Increased emphasis on Home and Community Based Services**
 - Facilitate NH Transition
 - Increase care coordination and case management
 - Enhance community integration and personal goal setting
 - Emphasis on community inclusion and home-like environment
 - Expansion of participant directed option

LTC MANAGED CARE

- **NH care remains an entitlement program, state may not limit appropriations**
- **HCBS are optional – state may limit appropriations, there will still be waiting lists**

WHAT YOU MUST KNOW ABOUT SEQUESTRATION EFFECTING ELDER

Home and community-based services

Older Americans Act (OAA)

**Congregate and home-delivered meals – 17 million lost
in 2013**

**1.9 million senior transportation rides to medical
appointments, grocery shopping and other primary needs lost**

290,000 lose case management that coordinates care

**1.2 million adults lose homemaker services such as
cooking and laundry**

**1.5 million lose personal care services for help with
bathing, toileting and dressing**

THE SEQUESTER

**Nationally- Intended to be so illogical it would prompt Congress to act.
Everything cut- line by line**



SEQUESTER EFFECTS ON FLORIDA ELDERS

- **Expanded adult day care hours to support caregivers and promote independence**
 - Area Agency on Aging for Pasco-Pinellas participates
 - Approximately 100 seniors will not be provided adult day care services
- Faith in Action Pinellas
 - Exercise program to build lost muscle in elders. Done at ALFs, congregations, mobile home parks, senior centers
 - 180 elders will not be able to participate
- Neighborly Pharmacy Program- Neighborly Care Network
 - Pharmacy program to provide prescription meds at cost
 - 535 elders will not be provided prescription medications
- Congregate dining and home delivered meals
 - 253 nutrition at risk elders not provided nutritious meals

SEQUESTER EFFECTS ON FLORIDA'S ELDERS 2

- **Alzheimer's Respite Services**
 - Funds statewide respite program
 - Approximately 7,159 Alzheimer's victim and related dementia will not be provided respite care, case management, specialized medical equipment, services and supplies. This number does not include caregivers
 - Memory Disorder Clinics- statewide
 - Morton Plant in Clearwater
 - USF in Tampa
 - 9,123 persons with Alzheimer's will not be provided evaluations, memory screenings, information and counseling, and referrals

SEQUESTER- WHAT DO WE DO ABOUT IT?



FLORIDA GUARDIANSHIP TASK FORCE

Chair David Brennan a Past Chair of the Real Property, Probate, and Trust Law Section of The Florida Bar

Task Force Members

- 1. Debra Boje**
 - 2. Seth Marmor**
 - 3. Cynthia Fallon**
 - 4. David Carlisle**
 - 5. Sean Kelley**
 - 6. Enrique Zamora**
 - 7. Judge Mel Grossman**
 - 8. Mike Foreman**
 - 9. Charlie Robinson- charlier@charlie-robinson.com**
 - 10. Scribe Craig Shaw**
 - 11. Ken Burke ex officio**
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GUARDIANSHIP TASK FORCE

- **Mission- to comprehensively review all aspects of Florida Guardianship law with the idea of creating new guardianship statutes that will**
 - Improve due process
 - Break out types of wards
 - Minors
 - Developmentally challenged
 - Incapacitated
 - Volunteer
 - Incapacity determination process
 - Fiduciary standards for guardian
 - Accountings
- Task force looking for input but meetings in private
- Looking for ideas and suggestions on improving all aspects of guardianship

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