

Congress of the United States
Washington, DC 20515

August 5, 2024

Mr. Daniel Tsai
CMS Deputy Administrator & Director of the Center for Medicaid & CHIP Services
Center for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Deputy Administrator Tsai,

We are writing to express our deep concern and opposition to the proposed changes implemented by Governor Kathy Hochul to the New York State Department of Health's Consumer Directed Personal Assistance Program (CDPAP). As Members of Congress, we are alarmed by Governor Hochul's careless cuts to this Medicaid program and have been alerted to the potential impact of these changes on our constituents and the healthcare landscape in our districts.

The CDPAP program plays a crucial role in providing personalized care to individuals who need assistance with daily activities, allowing them to remain in their homes and communities. We understand that the proposed shift to a single fiscal intermediary (FI) model has sparked significant apprehension and opposition from stakeholders, including individuals relying on CDPAP services, caregivers, and healthcare providers. FIs are an integral component of the CDPAP program and provide patients with the necessary financial, emotional, and administrative supports to tailor their care to fit their needs. The elimination of all FI providers, including those that are disability-led and disability-staffed, jeopardizes thousands of jobs across the state and places yet another barrier for those with disabilities to overcome to lead fuller, more independent lives.

We have heard from many concerned constituents about the potential adverse effects of this change, including fears about decreased access to care, disruptions in services, and increased administrative burdens. Without FIs, CDPAP enrollees can lose access to critical community level connections and supports that empower them to dictate their personalized home care.

Furthermore, any alterations to the CDPAP program must be carefully considered and thoroughly vetted in collaboration with stakeholders, including Congress, to ensure that the needs and preferences of beneficiaries and caregivers are prioritized and protected.

A single FI would have the following challenges:

- **Reduced Accessibility:** A single FI might struggle to handle the volume and complexity of cases efficiently, leading to delays in service provision and reduced accessibility for patients.

- **Limited Local Knowledge:** A national company may not have the same understanding of local needs and conditions as multiple local FIs, which can affect the quality and appropriateness of care.
- **Bureaucratic Challenges:** Larger organizations have more complex bureaucratic processes, which could make it harder for patients and their families to navigate the system.

With increased red tape further hindering the effectiveness of the CDPAP program, it's clear Governor Hochul is plugging a budget hole she created on the backs of those who can afford it least. Instead of making responsible changes to the program to limit spending, Governor Hochul is decimating vulnerable New Yorkers' ability to age comfortably from their home.

Overseeing effective and reliable home-based care is an objective of the Centers for Medicare and Medicaid (CMS). Given CMS's jurisdiction over state-level Medicaid programs like CDPAP, we strongly urge CMS to reconsider the proposed changes to the CDPAP program and to engage in a transparent and inclusive process that incorporates the input of all affected parties. It is essential that any modifications uphold the principles of accessibility, quality, and patient-centered care that are integral to the CDPAP program's success.

Thank you for your attention to this critical issue. We look forward to your prompt response and to working together to safeguard the interests of our constituents and preserve the integrity of the CDPAP program.

Sincerely,



Marcus J. Molinaro
Member of Congress



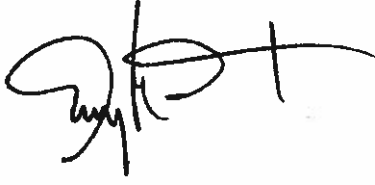
Brandon Williams
Member of Congress



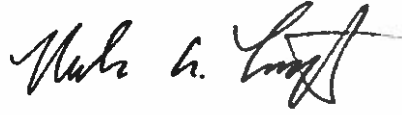
Michael V. Lawler
Member of Congress



Nick LaLota
Member of Congress



Anthony D'Esposito
Member of Congress



Nick Langworthy
Member of Congress



Nicole Malliotakis
Member of Congress



Andrew R. Garbarino
Member of Congress



Claudia Tenney
Member of Congress



Elise M. Stefanik
Member of Congress

CC: Jodie Sumeracki, Senior Policy Advisor, Medicaid Benefits and Health Programs
Group, Center for Medicare and Medicaid Services

Kirsten Jensen, State Plan Benefits Group, Center for Medicare and Medicaid
Services

Raymond Hurd, Acting Regional Administrator, Region II, Center for Medicare
and Medicaid Services

Amir Bassiri, New York State Medicaid Director

Michael Ogborn, New York State Deputy Medicaid Director