



New York StateWide Senior Action Council, Inc.
275 State Street, Albany, NY 12210 • 800-333-4374 • Fax (518) 436-7642
www.nysenior.org

2024 STATE LEGISLATIVE GOALS

New York StateWide Senior Action Council (“*StateWide*”) urges the NYS Legislature and the Governor to address our priority concerns in the 2024 Session. We will be strong advocates on issues related to:

- adequacy of planning for disaster preparedness/public health emergencies
- the home care worker shortage
- ensuring quality of care in hospitals and nursing homes and upholding consumer rights
- universal access to broadband connectivity, especially important due to the expanded reliance on tele-health services,
- adequate funding for services for older residents, including continued funding for StateWide’s Patient Rights Helpline and Medicare & EPIC counseling programs
- improving the eligibility, rights and access to services for all New Yorkers with a focus on specific solutions for Medicare and Medicaid enrollees
- improving health delivery systems and access to care,
- addressing widespread health and housing inequality that disproportionately impacts persons of lower income and persons of color needs immediate action.
- supporting access to all medically approved health care, including reproductive care services, to ensure privacy between patient and practitioner and ensure that government policies do not discriminate.

To accomplish these goals, we urge adoption of various bills and specifically urge the:

- adoption of the New York Health Act, which places patients before profits, expands benefits and achieves savings for most covered New Yorkers and the state ([S7590](#), Sen. Rivera/[A7897](#), Assy. Paulin)
- repeal of the SFY2020-21 Medicaid home care consumer cuts, including [S328](#) Sen. Rivera/[A6346](#) Assy. Paulin, to ameliorate cuts that are expected to be implemented in SFY2024-25.
- rejection of austerity budgeting and increasing revenues by taxing those most able to afford to pay, ending the stock transfer tax rebate and ensuring that older residents on limited incomes do not face a burden of increased property taxes.

ENSURING ADEQUATE FUNDING FOR SERVICES FOR OLDER RESIDENTS

Invest in safety net community based human services providers who are facing unprecedented challenges due to state contract and payment delays, years of austerity funding, and cuts, all at a time when the community has great need for community and home-delivered services.

Community Services for the Elderly (CSE) funded under the NYS Office for Aging (NYSOFA) budget.

Increase the budget to address the needs of an aging population, to reduce waiting lists for EISEP/home care, nutrition, transportation and other services and address unmet and unidentified need.

Recommendation: For State Fiscal Year (SFY) 2024-2025, provide additional funds to the CSE budget, giving local Aging Commissioners the ability to determine how to spend the funds to address the highest level of needs. Ensure that there is no local match required for additional funding. Seek data on the use of funds to determine how to reduce waiting lists specifically for EISEP home care services and improve transparency and accountability on funding for aging services. (Aid to Localities budget).

Patients Rights Helpline

Since 1987, *StateWide* has received state budget funding through the NYS Office for the Aging (NYSOFA) to educate and empower seniors to uphold their health care consumer rights. (Aid to Localities budget).

Recommendation: *StateWide* requests the Legislature maintain the program at the SFY 2023-2024 budgeted level. We expect the Executive budget to include an appropriation of \$31,500, Legislature urged to add a \$200,000 Legislative Appropriation, for total program appropriation of \$231,500 – same SFY 2023-2024.

Managed Care Consumer Assistance Program (MCCAP)

Since 2004, *StateWide* has received state budget funding through NYSOFA to help New Yorkers navigate the Elderly Pharmaceutical Insurance Coverage (EPIC) and Medicare programs, including enrollment and dispute assistance in EPIC, Medicare medical benefits and the Medicare drug coverage programs. Counselors also provide enrollment assistance in the Medicare Savings Program (MSP) that gives low income Medicare enrollees premium relief and Extra Help prescription drug assistance.

Recommendation: Provide \$1m additional funding for the Managed Care Consumer Assistance program with an increase to address unmet needs and casefinding for the newly expanded Medicare Savings Program and Medicaid income eligibility, funding to be proportionately divided among the current providers. *StateWide* is one of 6 programs identified in the budget, our current line-item appropriation is \$354,000. (Aid to Localities budget).

IMPROVING HEALTH AND PRESCRIPTION DRUG BENEFITS

Improve the Elderly Pharmaceutical Insurance Coverage (EPIC) program, needed to help older residents offset the costs of their prescription drugs and for lower income enrollees, also helps offset premiums for Medicare drug coverage.

Recommendation:

1. Legislators are asked to co-sponsor new legislation [S3005](#), **Sen. Cleare/A6450**, **Assy. Kim**) introduced at StateWide's request that will improve the EPIC program by:

- covering all Medicare enrollees regardless of age to offset Medicare prescription drug costs, phasing in the population over time
- ensuring transparency by reinstating the consumer advisory panel and requiring an annual report
- requiring EPIC to post the drug manufacturers that are included in the program
- restoring the enrollment process so that applicants are enrolled in EPIC followed by EPIC reaching out for more information to qualify them for Extra Help
- reinstating EPIC's premium assistance benefit inclusion of any Late Enrollment Penalty (LEP) amount - up to the monthly benchmark amount (\$48.72 in 2024).

2. We also urge passage of legislation allowing EPIC benefits for those New Yorkers who are not enrolled in a Part D plan, but have creditable coverage through their retiree health benefits, [S966](#), **Sen. Rivera/A6518**, **Assy. Tapia**)

Enact the New York Health Act ([A7897](#),/[S7590](#)) to place patients before profits, provide enhanced coverage including long term care and eliminate out of pocket costs, while reducing the taxpayer burden. Until such time as the New York Health Act is implemented there is a need for immediate improvements to access affordable, quality health care. During the 2024 Session we support such incremental steps as:

- streamline and improve the income eligibility for hospital payment relief ([S1366-A](#), Sen. Rivera/[A6027](#), Assy. Paulin)
- ensuring Coverage for All to ensure every NY resident has health insurance coverage. ([S2237-A](#), Sen. Rivera/[A3020](#), Assy. Gonzalez Rojas)
- allowing all New Yorkers to enroll in comprehensive dental insurance on the state's NY State of Health Exchange.

MEDICAID

We urge policies that enhance the ability of people to obtain and retain home- and community-based long-term services and supports, which provide for higher satisfaction, lower cost, and abide by the right to live in the most-integrated setting. We oppose funding cuts to the program that impact access to benefits and safety net providers.

We urge **repeal of the SFY2020-21 Medicaid cuts**, not yet implemented, to:

a) eliminate the increased number of activities of daily living needed to qualify for personal care, [S328](#) Sen. Rivera/[A6346](#) Assy. Paulin and b) restore the community-based Medicaid enrollment eligibility financial look-back for home care services to 30 days.

We urge legislation to remove the asset test to qualify for Medicaid. Currently, when someone is age 65 or older or those who obtain Medicare due to a disability, they become subject to an asset test that is not required of any other applicants, [S4881-A](#) Sen. Cleare/[A5940-A](#) Assy. Kim.

We urge efforts to address capacity concerns to ensure that Medicaid enrollees have timely access to medical, mental health and dental providers;

ENSURING QUALITY OF CARE IN HOSPITALS AND NURSING HOMES

- Assure that the NYS DOH rigorously asserts its regulatory powers over nursing homes and increase fines and penalties for violations, boosting the agency's surveillance staff and complaint reporting/investigating units.
- Attain a high level of quality care in long term care settings, including a strong definition of adequate staffing, to minimize the risk of infection and to ensure that residents receive services according to their plans of care;

- Improve the Long Term Care Ombudsman Program to meet the recommended national standards for an on-site presence and support recruitment of sufficient volunteers and paid staff. Budget funding must be tied to staffing/visitation goals.

ADDRESS THE HOME CARE WORKER SHORTAGE

State and federal policy shifts care away from institutional settings by investing in community-based care. New Yorkers want to remain in their own homes for as long as it is safe to do so. The ongoing home care capacity issues must be addressed in a comprehensive manner so that the traditional medical/health home care worker shortage and the aging/EISEP home care worker shortage are addressed together, and that solutions for one sector do not create further problems for the other.

Recommendation: Increase the hourly pay of home care workers to ensure a livable wage, a minimum of 150% of minimum wage. (Known as “Fair Pay for Home Care”) [S3189](#) (Sen. May)