



February 22, 2022

Statement in Opposition

A. 6329-A (Gottfried)/ S.5374-A (May)

The Hospice and Palliative Care Association of New York State (HPCANYS) is a not-for-profit organization representing hospice and palliative care programs, allied organizations and individuals that are interested in the development and growth of quality, comprehensive end-of-life services. Our vision is that all persons who are seriously ill receive a full spectrum of care to maximize their quality of life according to their own values, goals, and preferences.

While the Association appreciates the intent of this legislation to increase home care aide wages, the legislation does not provide long-term structural rate support for home care and hospice providers. ***Instead, this proposal advances a one-time appropriation and employers would thereafter be obligated to cover the cost of this new unfunded mandate.*** However, many providers are already operating at negative margins. Additionally, numerous hospice and palliative care providers contract with these organizations for home health aide services as part of the hospice benefit.

Moreover, hospices that provide their own aide service would also be subject to an unfunded mandate through this proposal since hospice Medicaid and Medicare per diem rates will not include increases to support a higher aide minimum wages. Further, the Association is concerned that this proposal incentivizes care for one set of patients over the care of others based on payer source.

While home health aides provide their care and support services throughout health care continuum and are deserving of just wages, the unintended consequences described above could disrupt an already challenging situation. This bill would deplete a workforce which is already in crisis. Alternative proposals to develop a sustainable workforce need to be explored; an increase in wages alone cannot effectively address this issue.

New York has ranked last in the nation for its hospice utilization rate for over a decade. This proposal could further reduce access to hospice services and increase healthcare disparities to those in need of care at the end of life.

Therefore, the Association opposes the passage and enactment of this legislation as currently written.