July 6, 2023

The Honorable Debbie Dingell  
102 Cannon House Office Building  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Robert P. Casey Jr.  
393 Russell Senate Office Building  
United States Senate  
Washington, DC 20510

Dear Representative Dingell and Senator Casey:

The United Spinal Association is pleased to write in strong support of H.R. 547/S.100 Better Care Better Jobs Act. This critically important legislation establishes programs and provides funds for state Medicaid programs. Specifically, the bill provides funds for the Centers for Medicare & Medicaid Services to award planning grants, develop quality measures, and provide technical assistance to states regarding specified HCBS improvements, particularly with respect to access, utilization, and the associated workforce.

United Spinal, founded by paralyzed veterans in 1946, is dedicated to enhancing the quality of life of all people living with spinal cord injuries and disorders (SCI/D), paralysis, neurological conditions and other mobility disabilities, including veterans, and providing support and information to loved ones, care providers and professionals. United Spinal represents 5.5 million wheelchair users across the country, has over 61,000 members, 47 chapters, 120 support groups and 115 rehabilitation facilities and hospital partners nationwide. Additionally, we work collaboratively with Spinal Cord Injury Model (SCI) System Centers and the Model Systems Knowledge Translation Center that provide innovative research and support in the field of SCI. United Spinal Association is also a VA-accredited veterans service organization (VSO).

This bill makes permanent the Money Follows the Person Rebalancing Demonstration Program (a grant program to help states increase the use of HCBS for long-term care and decrease the use of institutional care) and sets certain provisions regarding Medicaid eligibility that protect against spousal impoverishment for recipients of HCBS. Without programs and services of this nature individual care would decrease and the lives of those who need these programs would decrease as well.

The Better Care Better Jobs Act will:

- Enhance Medicaid funding for HCBS: States would be eligible for a permanent 10 percentage point increase in the federal Medicaid match for delivering HCBS as well as enhanced funding for administrative activities associated with improvement efforts. To receive these dollars, states must:
  - Strengthen and expand access to HCBS by expanding financial eligibility criteria for HCBS to federal limits; requiring coverage for personal care services; expanding supports for family caregivers; adopting programs that help people navigate enrollment and eligibility; expanding access to behavioral health care; improving coordination with housing, transportation, and employment supports; and developing or improving programs to allow working people with disabilities to access HCBS.
  - Strengthen and expand the HCBS workforce by addressing HCBS payment rates to promote recruitment and retention of direct care workers; regularly updating HCBS payment rates with public input; passing rate increases through to direct care workers to increase wages; and updating and developing training opportunities for this workforce as well as family caregivers.
• Show improvement over time by demonstrating improved availability of services; reduced disparities in accessing and using HCBS; evidence of competitive wages and benefits for workers; and increases in HCBS spending.
• Comply with a strong maintenance of effort for HCBS eligibility and benefit standards to ensure that additional federal dollars go towards growing and improving HCBS programs.
• Encourage innovative models that benefit direct care workers and care recipients: Provide additional incentives to help states build HCBS workforce programs that register direct care workers; help connect them to seniors and people with disabilities seeking care; facilitate coordination between the state and direct care workers; support care safety and quality; and help workers organize, among other functions.
• Support quality and accountability: Provide funding to the Centers for Medicare & Medicaid Services to carry out the bill’s programs; conduct oversight and monitoring; and offer technical assistance to states participating in the funding opportunities described above. Additionally, participating states would be required to establish state HCBS ombudsman programs to support care quality. The bill would also require all state Medicaid programs to adopt HCBS quality measures.
• Facilitate state planning: Provide funding for states to develop HCBS infrastructure improvement plans with public input, to outline how they would expand access to HCBS, strengthen the workforce, and meet requirements tied to increased federal Medicaid funding. States would be required to develop these plans in order to receive enhanced federal Medicaid funding for HCBS.
• Permanent spousal impoverishment protections: Permanently authorize protections against impoverishment for individuals whose spouses are receiving Medicaid HCBS.

Both Section 101, Home and Community Based Services (HCBS) Infrastructure Improvement Planning Grants, and Section 102, HCBS Infrastructure Improvement Program, increase access to Medicaid and HCBS looking at financial eligibility, personal care services, accessing enrollment systems, developing programs, and more. Regarding the HCBS workforce, this would allow pay rates to be examined for HCBS workers, directly affecting care arrangements, qualifications, and training opportunities for caregivers.

United Spinal shares your understanding that when we invest in working families, that investment pays far-reaching, long-term dividends. The Better Care Better Jobs Act will help meet Federal Medical Assistance Percentage benchmarks with increases and improvements. Specifically, this bill funds the Centers for Medicare and Medicaid Services as well as award programs, access, utilization, grants, and more. United Spinal fully supports this bill on behalf of people with disabilities, family members and care support staff. Thank you for considering these comments. Should you need further information or have any questions, please contact Rebecca MacTaggart at ractaggart@unitedspinal.org.

Sincerely,

Alexandra Bennewith

Alexandra Bennewith, MPA
Vice President, Government Relations