



Consumer Directed Personal Assistance Association of New York State

Pass NY Health with a long-term care benefit

The commercial health insurance system, which does not include long-term care services, requires that seniors and people with disabilities either impoverish themselves by paying privately for home care or forego employment so as to remain poor enough to qualify for Medicaid to receive services that maintain their quality of life. While the system does not work for these populations, it also is not cost-effective for the state, as capitated payments to managed long term care (MLTC) plans as care management cannot lower the level of need someone requires to maintain life in the community. The only beneficiaries are the managed care plans themselves, who rake in hundreds of millions or billions of dollars in profit. This all leads to a discriminatory system that impoverishes and denies services and opportunities to those who rely on it, wastes taxpayer dollars, and exacerbates financial inequity. New York Health, with its inclusion of a long-term care benefit, is the answer.

New York is aging rapidly and Medicare does not pay for long-term care services. Medicaid does provide coverage, but eligibility is means tested which complicates access for working and middle class people who need it. Every year, thousands are bankrupting themselves paying for these services, eliminating a lifetime of savings in months. For younger folks with disabilities, the Medicaid buy-in option for working adults does allow them to earn up to \$63,492 annually, a limit that often means disabled individuals are forced to earn less than those they supervise. And those are the lucky few who actually find and qualify for this program. Worse, once these individuals turn 64, they lose this option and are subject to the traditional asset requirements, including retirement savings and other earnings. The discriminatory structure of this option means that younger folks with disabilities must sacrifice meaningful employment or other opportunities just to receive core services to stay alive.

Since 2011, enrollment in a Medicaid Long Term Care (MLTC) plan is required to receive CDPA or home care. These are plans created to cover all of an individual's long-term care services under a fixed monthly rate. Notably, the services do not cover acute services, and institutional nursing home care has been carved out. This creates a perverse incentive for these plans to institutionalize all but the lowest hour individuals, increasing their profits while violating the basic civil rights of thousands.

Further, the bureaucracy created by these plans is syphoning much needed Medicaid dollars to these managed care corporations while providers receive pitiful reimbursement rates that suppress the wages of home care workers and exacerbate the “worst in the nation” home care workforce crisis. This makes it difficult or impossible to open new home care cases, or for CDPA consumers to recruit and retain staff, jeopardizing their ability to live at home. While the COVID-19 pandemic enacted huge emotional and financial tolls on most people, major health insurers reported record profits.

Health care is a human right that is not contingent on how much of it one needs. The current Medicaid system, on which many seniors and [four in nine](#) people with disabilities rely for services, is discriminatory. It also adds more administrative excess that could instead be spent directly on care. Meanwhile, the state is padding the coffers of insurance companies who offer no improvements. New York Care, with the inclusion of a long-term care benefit, would rectify these problems and guarantee that no person would have to choose between needed coverage and financial security.

Passing New York Health with a long-term care option will end discriminatory coverage practices and end wasteful state spending on insurance premiums.

CDPAANYS is the only statewide association solely representing fiscal intermediaries, consumers and personal assistants in Consumer Directed Personal Assistance (CDPA). For more information, please contact us at 518-813-9537 or bryan@cdpaanys.org.