



Talking Points for Repeal MRT Eligibility Cuts

New eligibility requirements for CDPA and home care, as well as new medical assessment restrictions that prevent folks from seeing their own health professionals were put in place last year as a result of the Medicaid Redesign Team II (MRT II). If not reversed, thousands of individuals who would otherwise have access to crucial community-based services will not be permitted to use them, putting them at risk of injury and institutionalization.

- The MRT II was convened to slash the Medicaid budget, not to improve Medicaid services. Cuts to CDPA eligibility were not suggested by long-term care experts in an evidence-based process, but by health industry leaders hand-picked by the governor to deliver savings by any means possible.
- The new eligibility rules seek to determine if people are “disabled enough” for CDPA or home care services through Medicaid by requiring physical assistance with at least three activities of daily living, two if you have Alzheimer’s or dementia.
- Individuals determined to need twelve hours of services per day or more would now be subject to an additional review by a physician panel to consider whether they are “too disabled” for community-based services and are able to live safely at home. This arbitrary is duplicative and bureaucratic, only existing to force high hour individuals into nursing homes.
- The new rules also complicate the assessment process by preventing people from using medical professionals with whom they have long-standing relationships and who know them and their disabilities. This will create bottlenecks for appointments, delaying access for people seeking services and lead to inaccurate assessments and eligibility determinations, as the “independent” doctors are not even required to review medical records.
- Thousands of individuals who would have previously qualified for CDPA will lose access. Without services, they will be at imminent risk of injury that further exacerbates their disability. Despite not qualifying for CDPA or home care, they can still be institutionalized.
- The potential consumers who will no longer be considered eligible for CDPA would still be eligible to enter a nursing home, regardless of their wishes. This institutional bias is contrary to the Supreme Court’s Olmstead decision, which requires states provide services in the least restricted setting possible and stands in stark contrast to the lessons we have learned from COVID-19.

ASK: Will you co-sponsor legislation being introduced by Assembly Member Dick Gottfried and Senator Gustavo Rivera to repeal the MRT’s eligibility cuts and assessment restrictions to ensure that thousands of seniors and people with disabilities are able to live safely at home and not be forced into nursing homes?