

# HCA MEMORANDUM OF SUPPORT



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HCA, New York State's premier home care association, represents nearly 400 providers, individuals and associate members who collectively serve thousands of New Yorkers.

Home care encompasses a broad spectrum of services delivered at home to patients who are disabled, chronically ill, recovering from an illness, or have other health-related needs that can be met in the home setting.

"Helping New Yorkers **Feel Right** at Home"

**To: Members of the New York State Legislature**

**Re: S.5448 (Young) and A.7895 (Gunther) of 2011**  
Rural Home Health Flexibility Program

**Date: June 6, 2011**

The Home Care Association of New York State (HCA) **strongly supports** legislation sponsored by Senator Catharine Young and Assemblywoman Aileen Gunther (S.5448/A.7895) which would amend the public health law to create a Rural Home Health Flexibility Program.

**HCA respectfully urges the members of the Senate and Assembly to pass this important legislation.**

Senator Young (Chair), Assemblywoman Gunther (Vice-Chair) and Senate and Assembly Members of the Legislative Commission on Rural Resources introduced this legislation to establish a mechanism for critical regulatory flexibility to facilitate the development, operation and access to vital home care services in rural communities.

Rural agencies face unique challenges in service development, delivery and sustainability due limitations in agency size and financial and community resources, sparse population, difficult topography, large geographic distances, communications/technology barriers and other related factors. These challenges are compounded by well-intended, but often ridged, inordinately costly and/or prohibitive regulations that risk the ability to establish, expand and/or sustain rural home care agencies and their mission to their communities. Regulatory flexibility would serve to support and enable these challenged agencies and communities to meet local service and health system needs.

This legislation is responsive to this purpose by creating a framework for the state to grant regulatory flexibility to providers in rural areas for the development and operation of essential services. The flexibility would be provided upon application by providers to the State Department of Health, upon a demonstrated need and in connection with a demonstrated benefit. The bill offers specific circumstances for regulatory flexibility – e.g., development or expansion of a home care program or agency, provision of telehealth services, relief from the adverse effects of mandates identified in state rural and small business regulatory impact analyses – as well as additional areas as may be identified by the Commissioner in conjunction with rural

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representatives that enhance the administration, services and quality of care provided by a rural home care agency or program.

This proposed Rural Home Health Flexibility Program would not only facilitate accessibility and sustainability of care, but would promote increased capacity, innovation and efficiency of home health services. The establishment and sustainability of these services is critical not only for the direct home health needs of rural citizens, but to the operation and cost-efficiency of the entire rural health system, which depends upon viable home care.

**HCA applauds Senator Young, Assemblywoman Gunther and the Rural Resources Commission for sponsoring this crucial legislation and urges the Legislature and Governor to enact it into law.**