



576 Johnsville Road
Sykesville, MD 21784

TO: Health and Government Operations
FROM: LeadingAge Maryland
SUBJECT: Senate Bill 28, Home- and Community-Based Services Waiver - Participation and Applications
DATE: March 30, 2022
POSITION: **Favorable**

LeadingAge Maryland supports Senate Bill 28, Home- and Community-Based Services Waiver - Participation and Applications.

LeadingAge Maryland is a community of not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes and home and community-based services. Our mission is to expand the world of possibilities for aging in Maryland. We have nearly 80 affordable housing communities as members. We partner with consumers, caregivers, researchers, public agencies, faith communities and others who care about aging in Maryland.

This Home and Community-Based Waiver provides community services and supports to enable older adults and people with disabilities to live in their own homes. Maryland residents age 18 and over who need assistance with activities of daily living, such as bathing, grooming, dressing and mobility, can apply. This bill alters the required contents of the home- and community-based services waiver submitted by the Maryland Department of Health to the Centers for Medicare and Medicaid Services and mandates the Department to send an application to a certain number of individuals each month, if the Department maintains a waiting list or registry for the waiver. The Department's waiver must include a cap on waiver participation of not fewer than 7,500 individuals versus a cap at the limit and a plan for waiver participation of not fewer than 7,500 individuals. If the Department maintains a waiting list or registry, each month the Department shall send a waiver application: if there are fewer than 600 individuals on the waiting list or registry, to all individuals on the waiting list or registry; if there are 600 or more individuals on the waiting list or registry, to at least 600 individuals on the waiting list or registry. A waiver application must state clearly and conspicuously that the applicant must submit the application within 6 weeks after receiving the application and the

applicant is required to meet all of the eligibility criteria for participation in the waiver within 6 months after submitting the application. As amended, the bill requires the Department to apply for a waiver with Centers for Medicare and Medicaid Services on or before October 31, 2022, and thereafter as necessary, for an amendment to the home– and community–based waiver under § 1915(c) of the federal Social Security Act to increase the waiver cap size.

The Maryland Medicaid Home and Community Based Services Options Waiver (HCBOW) program can provide the needed services to Marylanders with disabilities at home. Maryland has permission from the federal government to grant 6,348 waivers for home and community-based services, but it only enrolls 4,286 residents. More than 25,000 residents sit on wait lists to be approved. In 2019, HCBOW served less than 5,700 individuals. When the MDH readjusts HCBOW program availability every few years, it does not count eligible people on the 8-year, 25,000-person waiting list. As long as Marylanders are unable to live at home and bypass the lengthy waiting list, their only option is entering a nursing home. This is costly and unnecessary. Senate Bill 28 provides Maryland an opportunity to educate those on the waiting list and potentially expand its home and community-based service program.

For these reasons, LeadingAge Maryland respectfully requests a favorable report for Senate Bill 28.

For additional information, please contact Aaron J. Greenfield, 410.446.1992