

# AHCA Priorities in 2023 & Strategic Overview

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# What You Will Learn

- Major Threats
- AHCA Strategy on Minimum Staffing
- What's Happening on the Workforce Front
- Outcome of the Payment Rule
- Grassroots Efforts
- 118<sup>th</sup> Congress Overview
- Important Timelines



# Major Threats



# Major Threats

- Minimum Staffing Rule
- Workforce Supply
- Onerous Administrative Action



# AHCA Strategy on Minimum Staffing



# AHCA Strategy on Minimum Staffing

1. Shape before the rule is proposed
2. Shape after the proposed rule is issued
3. Engage Legislative Champions
4. Litigation



# AHCA Strategy on Minimum Staffing

## Shape before the rule is proposed

- Grassroots Email Campaign
  - 5,775 were submitted
- Political pressure from Hill Democratic influencers to the Administration
  - Tester Letter
  - Pence/Golden Letter (22 Signers)
- Advocates letter that supports the mandate
  - Doggett/Schakowsky Letter (115 Signers)



# AHCA Strategy on Minimum Staffing

## What Are We Trying to Shape?

1. Must be fully funded
2. Cannot go into effect until our workforce has been rebuilt
3. There must be a broad definition of worker
4. There must be a reasonable waiver
5. It must be demonstrated and then phased in





# AHCA Strategy on Minimum Staffing

## **Shape after the proposed rule is issued**

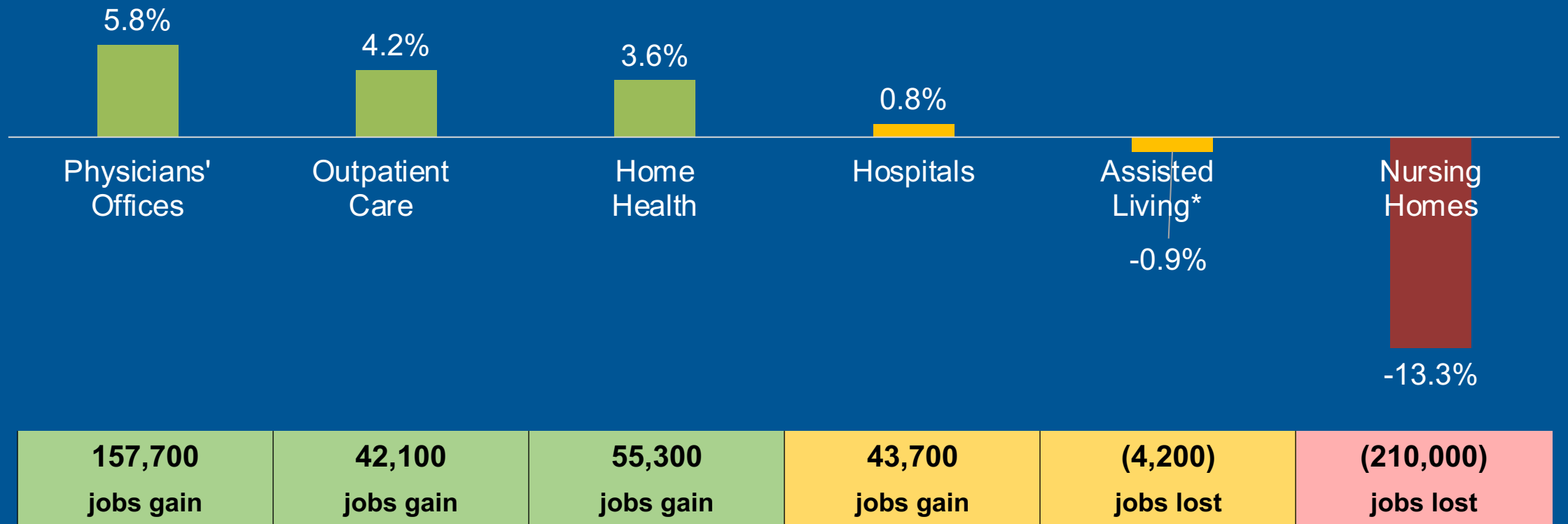
- Another grassroots formal comment campaign
- Democrat Hill pressure
- Congressional Briefing is at exactly the right time (June 5-6)



Workforce

## LONG TERM CARE: WORST IMPACTED THAN ANY OTHER HEALTH CARE SECTOR

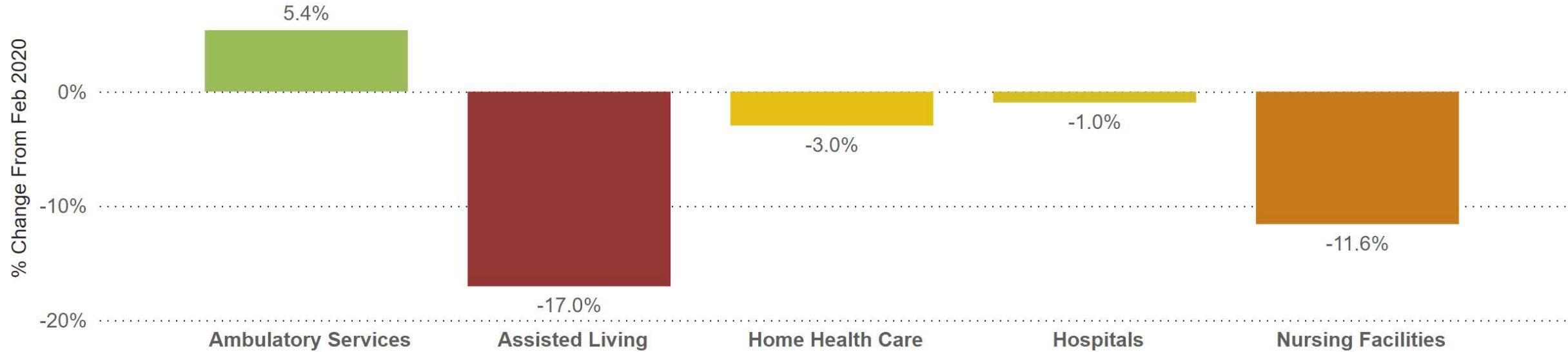
Percent Change in Health Care Sector Employment Feb 2020 - Dec 2022



State

Kansas

## Percent Change in Health Care Sector Employment since February 2020

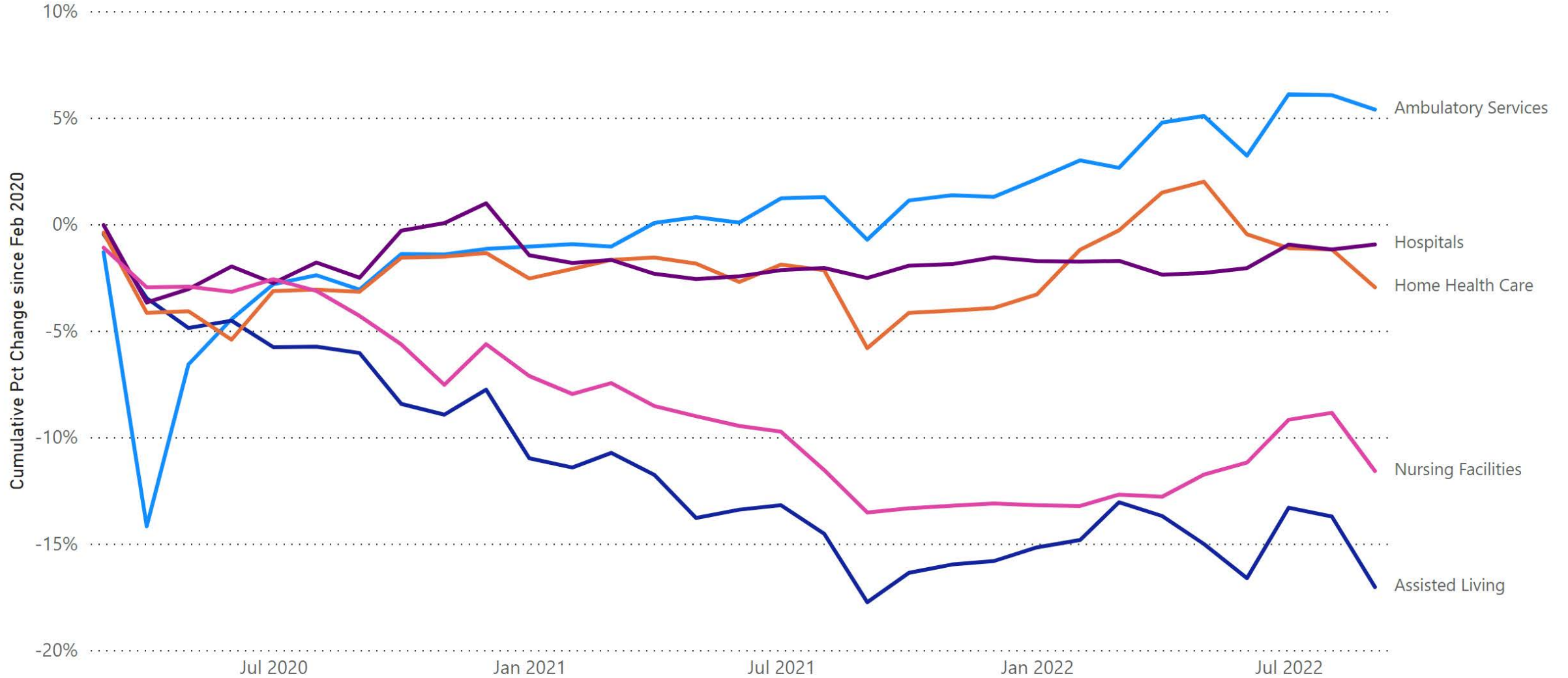


	Ambulatory Services	Assisted Living	Home Health Care	Hospitals	Nursing Facilities
February 2020	59,719	4,350	8,007	73,766	17,851
September 2022	62,932	3,609	7,770	73,063	15,782
Difference #	3,213	-741	-237	-703	-2,069
Difference %	5.4%	-17.0%	-3.0%	-1.0%	-11.6%

State

Kansas

# Cumulative Percent Change in Health Care Sector Employment since February 2020

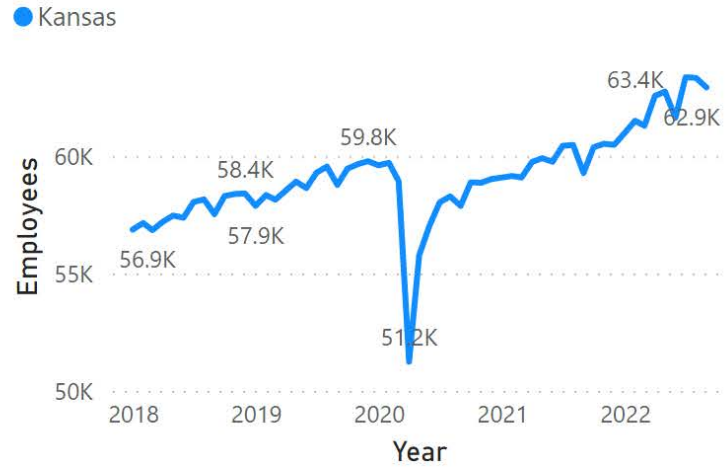


Source: Bureau of Labor Statistics, Quarterly Census of Employment and Wages. NAICS Industries 622, 6211, 6214, 6216, 6231, 623312.

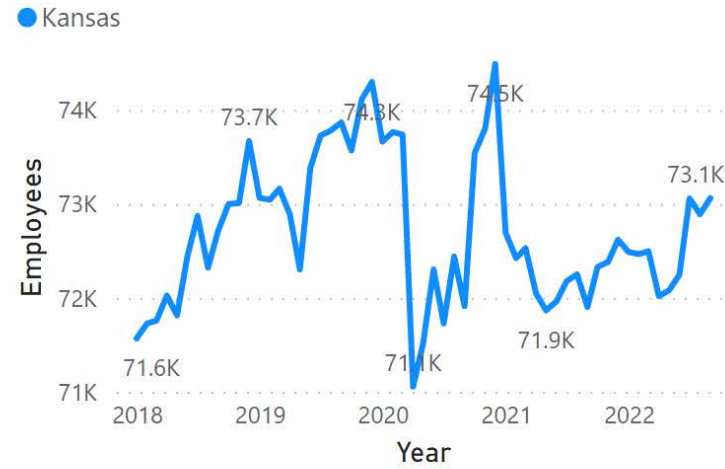
State

# State Healthcare Employment Trends

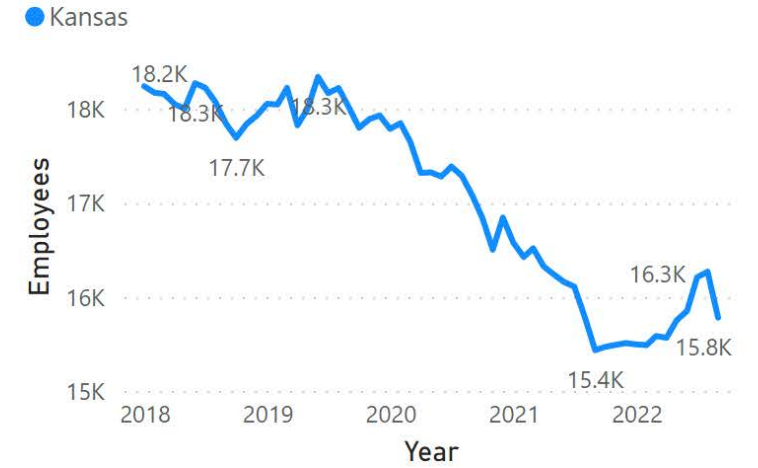
## Ambulatory Services



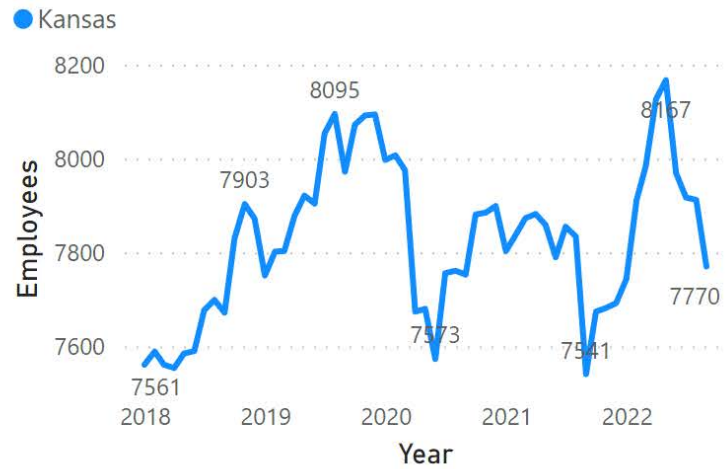
## Hospitals



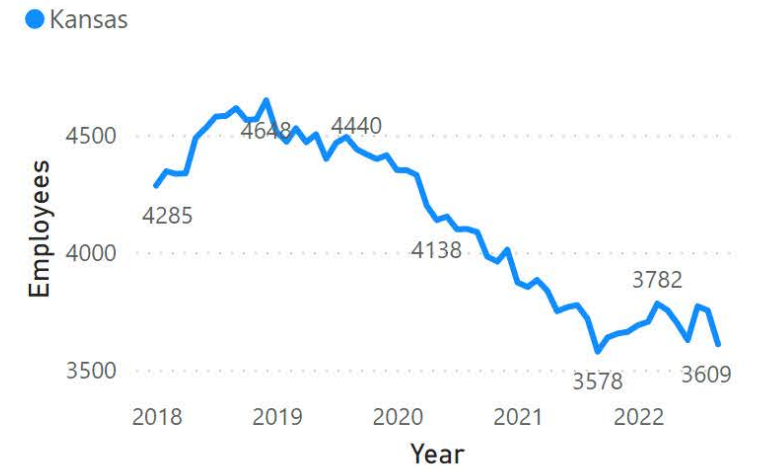
## Nursing Facilities



## Home Health Care



## Assisted Living





# Workforce

- Any and every opportunity to increase long term care workforce will be explored during this new legislative session
  - TNA
    - H.R. 468
  - CNA Lockout
  - HELP Committee Legislation
  - Immigration



# Payment Rule Update





# Market Basket Update Driven by Forecast Error

Market Basket and Adjustments	Figures
Unadjusted Market Basket	2.7%
Forecast Error	3.6%
<i>Subtotal</i>	<i>6.3%</i>
Parity Adjustment	(2.3%)
Total Factor Productivity Adjustment	(0.2%)
<b>Proposed Net Market Basket</b>	<b>3.7%</b>

## Notes:

- Numbers do not add precisely due to rounding
- Market Basket update in final rule likely will differ – CMS uses updated data for the Final Rule
- Provider specific updates will vary based on wage index, and labor adjustments



# Grassroots Efforts



# Grassroots Efforts

- Goal of 3000 Letters/Emails to CMS
  - We sent 5,775
- Formal comments
- Targeted outreach to in cycle Senators
- Facility visits and tours
- Congressional Briefing
- Media



# Target States

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Arizona	New Jersey
Colorado	New Mexico
Connecticut	Nevada
Delaware	New York
Georgia	Ohio
Maryland	Oregon
Maine	Pennsylvania
Michigan	VIRGINIA
Minnesota	Washington
Montana	Wisconsin
New Hampshire	West Virginia

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## Next Phase – Formal Comments

- Once the proposed rule is released, we will set up an Action Alert that will allow you to submit a formal comment
- You will be able to access the Action Alert from our website
- The Action Alert will give guidance on the specifics to include in your comment
- Goal of 10,000 formal comments



# 118<sup>th</sup> Congress Overview



# 118<sup>th</sup> Congress Overview

## General Risks

- Debt Limit Controversy - Can a grand bargain be achieved?
  - Hyper conservative House majority
  - More pragmatic Senate
  - Increased pressure to lower spending



# Important Timelines





# Important Timelines

- Spring: Proposed Rule (around May 1)
- August: Final Rule
- Fall: Debt Ceiling & Budget Agreement (Both risks and opportunities)



# Important Timelines

- Spring
  - Proposed Rule – Payment (Issued on April 4)
  - Proposed Rule – Staffing (Spring?)
- August
  - Final Rule – Payment
  - Final Rule – Staffing?
- Fall: Debt Ceiling & Budget Agreement (Both risks and opportunities)



What You Can Do To Help



# AHCA Strategy on Minimum Staffing

- Participate in Grassroots Efforts
  - Tour Invites
  - Participate in Formal Comment Process
- Come to Congressional Briefing (June 5-6)
  - Register now at [www.ahcancal.org](http://www.ahcancal.org)



Questions?