

Hello. My name is Melinda Reed. I am a Registered Nurse and started No Worries Comprehensive In-home Care over 18 years ago. I served as an original member of the Rules Committee that wrote the Rules for In-home Care Licensure. The Rules making process took 3 years and involved all three Divisions of DHS, private industry representatives, and involvement from the community at multiple public hearings. You may wonder why it took so long to write these Rules.

The answer is in the demographic of clients who are served by these Rules. The Rules needed to be written to protect an aging population where 50% of people over 85 have some form of dementia. The Rules also needed to address the growing trend for In-home Care rather than facility-based care which has resulted in more complex care in the home. In-home services range from companionship all the way to complex care tasks such as tube feedings and end-of-life care. The Rules needed to address safety for all clients and a great deal of time and effort went in to the completed Division 536 Rules which were filed December 4, 2002.

Over the years refinements to the Rules have been made. The Oregon Health Authority responded to confusion consumers were having about what level of care an In-home Care Agency could provide by implementing a classification system that further protects those seeking In-home Care. The Oregon Health Authority also implemented refinements and additional Rules for Medication Administration. For 13 years the Rules for In-home Care have been found to provide oversight and standardization for an industry that serves Seniors, those with disabilities, and those with personal care needs.

I am here today to support House Bill (HB) 3145 which would require the Homecare Choice program to comply with the Division 536 Rules for the following reasons.

1-Consumers have a right to have the same standards from all those who provide In-home Care. The standards adopted by the Oregon Health Authority (OHA) for In-home Care agencies were created and updated for the purpose of creating transparent standards of homecare services for the benefit of consumers of these services.

2-The Home Care Commission was formed to ensure quality care to seniors and those with disabilities. HB 3145 would support the Home Care Commission's mission by requiring the Homecare Choice program to follow the same standards, Division 536, that private industry In-home Care Agencies have been required to follow.

3-HB 3145 also provides the solution for the need for oversight of the Homecare Choice caregivers. As an example of the importance of oversight we can look to Ohio. An article

states: "Governor Kasich has proposed a two year budget that will essentially phase out these workers and direct patients to receive care through agencies.

According to Governor Kasich's representatives, the goal is to help curtail fraud that costs Ohio taxpayers millions of dollars every year. Without any formal regulatory agency or oversight, it is difficult to accurately determine whether elderly and disabled individuals are receiving the proper level of care they need or that the independent in home care providers are working for the hours submitted to the state for reimbursement.

There are numerous cases of home health care fraud that have been reported in the news media from around the country in recent years. The federal government set up a task force that has been working diligently to root out Medicare and Medicaid fraud and the vast majority of these cases that are brought forth involve workers at agencies, or the agency itself. A significant reason for that, according to some within Governor Kasich's administration, has to do with oversight. It is easier to regulate agencies and determine whether services are actually being provided to clients through them than through independent caregivers, many of whom may be family members."

HB 3145 would provide the oversight needed to determine if services are actually being provided to clients at the level of care they need.

In conclusion, I ask the House Committee on Health Care to support adoption of HB 3145 which provides consumer protection through standardization and oversight. Thank you for the opportunity to provide testimony.

Ohio Governor Kasich Aims to Cut Out Independent Home Health Care Providers

MARCH 12, 2015 BY VALERIE VANBOOVEN RN BSN



In Ohio there are an estimated 13,000 independent home health care providers supporting elderly and disabled individuals with a number of basic care tasks. Many of these tasks include getting out of bed, getting dressed, bathing, toileting, and taking care of other personal essentials. Governor Kasich has proposed a two year budget that will essentially phase out these workers and direct patients to receive care through agencies.

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Opponents of this new regulation claim that these current independent in home care providers would need to work through agencies instead, which means lower wages (with one reported claiming these wages will be cut in half, but who didn't supply any evidence to that statement) and lack of benefits (to which the reporter also didn't provide any evidence that current independent workers were receiving benefits).

The plan is set to be phased in over a four year period in order to provide patients and caregivers to have time to make this transition. Anthony Caldwell, representing SEIU 1199 (services union) claims that this will degrade the quality of care patients receive and that they won't be able to choose the caregiver with whom they want to work, as agencies provide whomever is available at the time.

Caldwell also claims that agency workers may not be as skilled or reliable as independent caregivers.

There are approximately 16,000 individuals who receive some type of in home care throughout Ohio.