JOHN J. FASO
19TH DISTRICT, NEW YORK

1616 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5614

http://faso.house.gov

Congress of the United States
House of Representatives

COMMITTEE ON AGRICULTURE
SUBCOMMITTEE ON COMMODITY EXCHANGES, ENERGY, AND CREDIT

SUBCOMMITTEE ON NUTRITION

COMMITTEE ON THE BUDGET

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
VICE CHAIR, SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

March 27, 2017

Honorable Seema Verma
Administrator
U.S. Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Verma,

I am writing out of concern regarding the implementation of recently approved changes to the Medicare Home Health Conditions of Participation (CoPs). As you know, these are the most sweeping changes to the regulations since 1989, affecting virtually every aspect of a home health agency's operations. Currently, the changes are scheduled to go into effect on July 13, 2017. Given the volume and range of changes to the CoPs, I hereby request a delay in implementation to no earlier than January 13, 2018.

The new regulations contain a myriad changes to nursing, therapy and aide services, supervision assessments, patient's rights, care planning, quality improvement, clinical records, agency structure, governance, management and other CoPs that regulate the operation and function of Home Health Agencies (HHAs) certified by Medicare and Medicaid.

As you may know, providers will have only six months to fully understand and implement these far-reaching changes. CMS itself estimates the cost to HHAs of implementation will be over $500 million in the first two years alone. It is my understanding that the state agencies tasked with enforcing these changes have yet to receive guidance from CMS, and this guidance will be critical for states and home care providers to fully understand their compliance and enforcement obligations to ensure that these changes fulfill their intentions.

I believe providers and state regulators need greater time to fully understand and implement what are, again, a wide range of changes to the CoPs. Home care providers understand the rationale and goals of the CoP changes, and they report vigorous and hurried efforts to get their staff trained and ready. Moving back implementation by six months will allow for all parties involved to be better prepared to operate and ultimately provide quality care to home care beneficiaries.

Thank you for your consideration and please feel free to contact me to discuss this situation further.

Sincerely,

John J. Faso
Member of Congress

DELHI DISTRICT OFFICE
111 MAIN STREET
DELHI, NY 13753
PHONE: (607) 746-9537

KINDERHOOK DISTRICT OFFICE
2 HUDSON STREET
PO BOX 775
KINDERHOOK, NY 12106
PHONE: (518) 610-8133

KINGSTON DISTRICT OFFICE
721 BROADWAY
KINGSTON, NY 12401
PHONE: (845) 514-2322

PRINTED ON RECYCLED PAPER