

July 9, 2021

Honorable Meg Snead
Acting Secretary of Human Services
Commonwealth of Pennsylvania

Dear Secretary Snead

SWPPA is an independent, nonprofit organization dedicated to improving the quality of life for older adults and those with differing abilities in 10 counties in southwest Pennsylvania. Our nearly 150 members serve over a million older adults. Members include older adults, providers of services, for profit and nonprofit businesses, government entities, educational institutions, and community members. SWPPA's mission is to serve as a catalyst to promote policies, programs and system change which will improve the quality of life for older adults and those with disabilities. SWPPA acts as a diverse and neutral forum for education, collaboration, and the formulation of policy recommendations in support of this mission.

As an association invested in advocacy that is in the best interest of seniors and people with differing abilities, we believe it is vitally important to share with you our ongoing concern over the selection of Maximus as Pennsylvania's Independent Enrollment Broker and the new decision to award Maximus the assessment function for older enrollees. Based on the results Maximus has achieved historically in PA, we do not feel this decision serves the best interests of those Pennsylvanians who depend on timely, effective enrollment processes and a responsive, supportive assessment process.

In 2008, SWPPA's members collaborated to create the **Principles of the Ideal Long Term Living System for Pennsylvania's Older Adults**. This document presents what we feel are the most critical components of a healthy, effective long-term care system. From these principles, we have also created a functional scorecard that allows us to measure the effectiveness of policies, regulations, and programs in meeting each principle. The decision to move forward with Maximus and include both the enrollment and assessment functions will have dire consequences for the following principles:

- #4 Simple to Understand and Access
- #5 Coordinated, with Seamless Transitions through a Comprehensive Array of Services
- #6 Focused on Prevention, Wellness and Early Connection to Home and Community Based Services

It is SWPPA's opinion that the state should immediately stop the RFA process and re-evaluate the best course forward considering Maximus' historical performance in Pennsylvania as well as Maximus' performance in other states. At a minimum, we implore the state not to combine enrollment and assessment functions by awarding both of those functions to one entity, but to continue to keep these functions separately managed by two different entities with local Area Agencies on Aging retaining the assessment function.

We have multiple concerns with Maximus' performance, as specified below:

- Pennsylvanians have had waiting periods of more than 60 days to begin receiving community-based services, often placing people at risk of negative health and social impact and threatening their ability to remain at home.

- Since Maximus began as the Independent Enrollment Broker for LIFE programs on May 1, there have been approval delays and reduced assistance to consumers.
- Maximus’ business model is more focused on the technical aspect of processing enrollment paperwork/applications electronically, which can cause unnecessary delays when applicants get “stuck” in the process as a result of needing more hands-on assistance. Maximus is not equipped to provide this type of assistance at the local level.
- In other states, such as Kansas, Maximus underbid and understaffed their contract which resulted in poor performance leading to the termination of their contract by Kansas’s Health Secretary. We want to assure that the criterion used in PA’s RFA selection process was not weighted more heavily towards cost savings at the risk of losing a focus on quality outcomes. We believe the selection criterion should be shared with stakeholders.
- We are deeply concerned over Maximus’ performance in other states and the potential for the same or similar performance outcomes to occur in PA. Examples of poor performance include:
 - As a provider in the District of Columbia, Maximus caused the submission of undocumented Medicaid claims leading to a major Medicaid fraud settlement
 - In Texas, the Inspector General found 11 areas where Maximus IT controls did not comply with contract guidelines
 - Investigations by the Office of the Inspector General for the US Department of Health & Human Services found that Arizona, Missouri, New Jersey, and Wisconsin had all improperly claimed Medicaid reimbursements that were submitted with the aid of Maximus

In contrast to Maximus’ performance both in PA and in other states, Pennsylvania’s Area Agencies on Aging have consistently demonstrated a superior ability to meet the needs of consumers *at the local level* – which is critical in both the enrollment and assessment functions. For over 30 years, the 52 AAAs in PA have been a trusted partner and resource serving our constituents across all 67 counties, achieving a 99.75% performance rating in providing timely face-to-face assessment services.

AAAs have supplemented the role of the IEB by serving as a face-to-face or case-manager point of contact with whom beneficiaries can engage as they have questions, seek to clarify enrollment documentation, and complete the cumbersome PA-600 application. The proposed change in the role of the IEB would remove responsibility for the completion of the level of care assessment required for individuals to receive Medicaid funded long term care services from the AAAs to Maximus. The level of care assessment is a crucial step in the process.

The AAAs and the Centers for Independent Living (CILs) have long been recognized as trusted, experienced service providers and advocates, they are the only local entity with the knowledge and understanding of our complex Medicaid and long-term care system to be able to quickly and efficiently assist our constituents in understanding the services available to them. If an individual seeking home and community-based services is not properly assessed, he/she may be denied services, resulting in poor health outcomes and more costly care in the future. Nothing can replace the face-to-face interaction and in-person, personal assistance provided by these local entities; most certainly not a national call center or website, as is offered by Maximus. Many seniors are not tech savvy, so having this level of hands-on help is critical

to successfully navigate our complicated long-term system.

Currently, AAAs are also responsible for completing a Preadmission Screening Evaluation, in addition to the level of care assessment, to ensure that individuals who are diagnosed as having a mental illness, an intellectual developmental disability or other related condition are receiving the most appropriate care when they are admitted to a nursing facility. Maximus would also assume responsibility for screening these individuals under the new contract, despite the many years of training and experience that AAA staff bring to this process. The AAA's training and expertise is further enhanced by their long-standing, positive relationships with local nursing facility personnel and other county and state program offices involved in the process, a dynamic Maximus cannot provide.

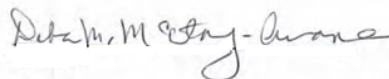
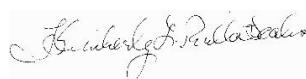
Considering our experience over the last year and half during this pandemic, it is clear our seniors need human interaction and support. It was the local efforts and relying on local providers that were the most effective approach to addressing the needs of seniors throughout the pandemic. Our AAAs reached out to these individuals personally and even helped to create an infrastructure to reach the homebound, physically disabled, frail older adults, and others aging in home and community-based settings – all to ensure COVID-19 vaccine access and accessibility.

When seniors and persons with disabilities need help, they reach out to the local AAA and CIL because of the trust and credibility these community-based organizations have built up over the years. History has proven that the system is more effective and that our seniors flourish when they have personal assistance from trusted supports in their local communities.

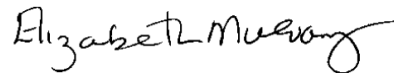
For this reason, SWPPA is advocating for the current RFA process with Maximus to be immediately halted and re-evaluated. At a minimum, we strongly advocate for the assessment function to not be included in the RFA, but for that function to remain with AAA's at the local level. We also request that the RFA selection criterion be transparent, so all stakeholders can have confidence that Maximus was not selected solely on the basis of being the most cost-effective responder at the risk of quality.

We welcome the opportunity to discuss our concerns in more detail with you, should that be helpful in considering our request.

Thank you for your consideration.



Kim Pirilla-Scalise Debbie McCarthy-Arnone
Co-Chairs, Policy Committee



Elizabeth Mulvaney
Board President

cc: Governor Tom Wolf
 Senator Michelle Brooks
 Secretary Robert Torres
 OLTL Deputy Secretary Jamie Buchenauer