

Indiana Home Care Task Force
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Joint Statement of the Indiana Home Care Task Force to Governor Frank O'Bannon on the Implementation of SEA 493 and Funding for the CHOICE Program

Delivered on August 13, 2003 to the Office of the Governor

Governor, hope is essential to human existence, or as the Rev. Jesse Jackson has so forcefully said, "we must keep hope alive." With hope, people are willing to endure all matter of want and need. Hope is the reason tens of thousands of Hoosiers have struggled for years in pain and poverty, at risk of institutionalization and death, awaiting the chance to get home and community based services through the CHOICE program or through a Medicaid waiver.

Yes, the hope of home care has kept these people alive but it is also a fragile thread that can too easily be broken. You have long recognized that fact. In 1987, your leadership was essential in the passage of the now nationally heralded CHOICE program. In the years that followed you stepped forward time after time to defend, advocate and advance the cause of long term care options for Hoosiers and on May 8th you signed SEA 493 into law.

Time and time again you have stepped forward to keep the thread of hope for home care unbroken. The people of Indiana need you to step forward once again.

Governor, the passage of Senate Enrolled Act 493 led us to believe the hope of good citizens was about to be rewarded. But for their hope to grow from a thread to a life saving rope, you must act decisively and quickly to fully implement 493, to restore full CHOICE funding, and to fully utilize Medicaid waivers.

Regarding SEA 493, the new law establishes the mechanisms for the delivery of long term care services to persons and families of limited means who are proven to be in need of that care. The law requires the establishment of a comprehensive array of necessary services that can enable each individual in service to get the care that is appropriate and cost effective for that person. 493 also creates the means for funding the expansion of home and community based services. All these things and more are done by the new law within the parameters of existing appropriations.

For persons with disabilities, the at-risk elderly, and stressed family care givers, 493 can truly be a life saving rope. For taxpayers frustrated with the growing cost of public services, for employers and workers seeking relief from the draining burden of long term care, and for lawmakers seeking a solution to the human misery and financial burden associated with doing business as usual, SEA 493 represents a real and positive solution *if* fully implemented. For people of all walks of life 493 is the codification of hope, fair play, good economics, and Hoosier common sense.

SEA 493 has been designed to transform Indiana's system of long term care in a

comprehensive and integrated manner. Consequently, the new law cannot fulfill the hopes of Hoosiers if it is implemented in bits and pieces or if existing programs, such as CHOICE and the Medicaid aged and disabled waiver, are not properly funded and administered.

Unfortunately, the latter is happening at the present time. Well intended but incorrect actions to address Indiana's budget crisis are dismantling critical components of our long term care system. On July 1, 2003 the state reverted a reported four million dollars intended for CHOICE at a time when a record 13,000 Hoosiers are on waiting lists for services funded through that program. At the same time the state has "frozen" the availability of existing Medicaid waiver slots that came open during state fiscal year 2003 even though there are people on waiting lists for Medicaid waiver services. These two actions will drive already impoverished people into nursing homes and increase our Medicaid budget. Regarding 493, state administrators are arbitrarily deciding what parts of the law they will and will not implement. Such actions invite the strong possibility of a negative backlash from the public, the legislature, and the courts.

As you are aware, leaders of the organizations that compose the Indiana Home Care Task Force have been meeting with officials from your office, the State Budget Agency, and the Family and Social Services Administration. Those discussions have been cordial, relevant to the issues at hand, and they need to continue. However, those discussions have also been inconclusive and the July 1st enactment date for 493 has long since past. Disturbingly, during these discussions state officials conceded the reversion of CHOICE dollars and the freezing of Medicaid slots only after being pressed to do so.

Governor O'Bannon, the Indiana Home Care Task Force, on behalf of its member organizations across the state and the millions of Hoosiers we represent, urge you to act now to fully implement Senate Enrolled Act 493, to fully restore CHOICE funding, and to lift the freeze on Medicaid waiver slots. We are willing to meet with you at your convenience, and we are willing to continue to work with your executive staff and FSSA administrators. But as the days rapidly pass since the July 1, 2003 enactment date of SEA 493 more legal deadlines will be missed by your administration and even more Hoosiers put at risk of needless institutional placement and death.

Governor, with the passage of SEA 493 the General Assembly recreated the magical moment of 1987 when CHOICE was enacted into law. For years the CHOICE program fulfilled the hope and the promise of the original law, however, the benefits of that program have only been available to those lucky few who have not been endlessly held on waiting lists. With the passage of 493 we can bring the miracle of CHOICE to all Hoosiers needing and using publicly funded home and community based services. Through 493 the hope and thread of home care can truly grow into a life saving rope for all Hoosiers who need that care. Please act to give this hope the life your fellow Hoosiers deserve.