

VERMONT LEGAL AID
Long Term Care Ombudsman Project
P.O. Box 1367
264 North Winooski Avenue
Burlington, Vermont 05402

To: Legislative Committee on Administrative Rules
Re: Rule 14P048 (Methods, Standards and Principles for Establishing Medicaid Payment Rate for Long-Term Care Facilities)
From: Jackie Majoros, State Long Term Care Ombudsman jmajoros@vtlegalaid.org
(802.383.2227)
Date: December 22, 2014

Attached please find suggested revisions to the proposed rule that address some of the concerns that we expressed in our comments and during the hearing on December 4, 2014. Briefly, our concerns about the final proposed rule include:

1. Lack of adequate description of the duties of the companion aide;
2. Failure to post the names of the companion aides for each shift;
3. Permitting homes to include the cost of the aides in their base year costs even if they failed to meet pilot outcomes; and
4. Lack of clear mechanism for enforcing the new companion aide provisions in the rule.

The suggested revisions were shared with and reviewed by the Division of Rate Setting last week, but they indicated there was no need to discuss this proposal.