



and the **NYS Coalition of Managed Long Term Care & PACE Plans**, to

The Honorable Andrew M. Cuomo,  
Governor, New York State

The Honorable John Flanagan,  
Majority Leader, New York State Senate

The Honorable Carl E. Heastie,  
Speaker, New York State Assembly

May 12, 2015

***Re: Supporting the rights of older adults and people with disabilities to live in their homes with independence and dignity by enhancing access and flexibility through the creation of an Advanced Home Health Aide Program (AHHA)***

The above organizations urge you to work with our community of stakeholders and negotiate and pass legislation to establish an Advanced Home Health Aide (AHHA) program before the end of the 2015 Legislative Session. We strongly believe this program will offer much-needed support to people with disabilities and older adults, enabling them to live in their homes and communities with independence and dignity. We also believe that this proposal will offer much needed flexibility in an evolving health care delivery system.

We believe an AHHA proposal should allow nurses to assign certain tasks for trained AHHAs to carry out safely and under supervision. The assignment of these tasks would increase the scope and availability of

home and community based services, and with it, the independence and integration of older adults and people with disabilities in our communities.

Family members and designated caregivers routinely assist with many tasks at home, such as administering eye and ear drops, medication administration, and other tasks which currently may fall under the “scope of nursing” but which are permissible under limited circumstances. Home health aides, however, are not authorized to perform these very same types of tasks under current New York law.

These tasks and many other activities related to supporting a person’s medical needs in their home can impose a significant burden on families and can lead to inconsistent care or burn-out, placing the health of the consumer at risk. In addition, if no appropriate caregiver is available, a consumer may be left with no other option than institutional care, often at a significantly higher cost to Medicaid.

In sixteen other states, nurses have safely assigned some of these tasks to aides with improved consistency of care and no harm to consumers. New Yorkers with disabilities, and those who wish to age in place, have the right to receive these services in their own homes as well. This programmatic change is compatible with New York’s evolving health care system and the movement to managed care and integrated models of delivery and finance which relies on provider and caregiver flexibility.

A broad and diverse number of stakeholders support the creation of an Advanced Home Health Aide program as a vital support for this changing system and for older adults and people with disabilities who wish to live in the community. We fully understand and acknowledge that there are outstanding issues that must be addressed to ensure the success of the AHHA legislation. Organizations that have signed this letter include members of the disability community, organizations that represent older adults, home health care providers, community-based human services providers, labor unions, managed care plans and many other groups from a wide spectrum of interests and perspectives. Many of these groups participated in a lengthy stakeholder workgroup process convened by the Department of Health.

Again, we call on all of you: Governor Cuomo, Senate Majority Leader Flanagan, and Speaker Heastie, to work together to negotiate and pass an Advanced Home Health Aide program by the close of the 2015 Legislative Session.

We stand ready to work with you and help shape the final AHHA proposal.

AARP New York  
Alzheimer’s Association, NYS Coalition  
Alzheimer’s Association, NYC Chapter  
Caring Across Generations  
CDPAANYS  
Center for Disability Rights  
Continuing Care Leadership Coalition  
Greater New York Hospital Association  
Home Care Association of New York State  
Hospice & Palliative Care Association of NYS

JASA  
LeadingAge New York  
Medicaid Matters New York  
New York Association on Independent Living  
New York State Nurses Association  
NYS Association of Health Care Providers  
NYS Coalition of Managed Long Term Care & PACE Plans  
Paraprofessional Healthcare Institute  
1199 SEIU  
UJA Federation of New York