



**Multipurpose Senior Services Program Site Association**  
3104 O Street, #372 ~ Sacramento CA 95816 ~ 916.397.1509

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California Department of Health Care Services  
Submitted via email: [dhcsmcqmndnau@dhcs.ca.gov](mailto:dhcsmcqmndnau@dhcs.ca.gov)

Re: Medicaid Managed Care Final Rule: Network Adequacy Policy Proposal

The Multipurpose Senior Services Program Site Association (MSA) appreciates the opportunity to comment on the Department's Network Adequacy Policy Proposal as part of compliance efforts with the federal Medicaid Managed Care Final Rule. Of particular interest to MSA is the role that MSSP plays in the Managed Long-Term Services and Supports (MLTSS) delivery of services to low income, frail older adults.

We believe that the 2016 Medicaid Managed Care Regulations were updated to address the significant increase in the number of Medicaid beneficiaries enrolled in managed care and its subsequent expansion of benefits will be beneficial to this vulnerable population and fulfills the State's commitment to deliver services in the least restrictive environment in compliance with the Supreme Court's Olmstead decision.

The Department's proposed LTSS network adequacy standards outlined provisions excludes MSSP from the time and distance standards because MSSP providers travel to a beneficiary to deliver services. The Department further states that MSSP services are limited by slots and service requirements set forth in the Section 1115 Medi-Cal 2020 Special Terms and Conditions and 1915(c) waiver. However, the MSSP service requirements were developed prior to implementation of the federal regulations and are not relevant. Each of the 12 MSSP sites operating in the CCI counties maintains a waitlist for services that range from 30 to 365 days. This indicates that the current network is not able to meet existing need. We bring to your attention that CMS' intention is that states adopt MLTSS network adequacy requirements to "ensure the availability of critical services and supports for beneficiaries." Therefore, we believe that MSSP waitlists do not comply with the intent of the federal rule.

MSA is in agreement with the following recommendations set forth by the SCAN Foundation and Justice in Aging for MSSP.

1. The Network Adequacy Policy must include standards for MSSP.
2. A workgroup tasked with developing MLTSS network adequacy standards to comply with requirements outlined in the rule must consider MSSP waitlists when determining network adequacy.

3. Develop a five-year LTSS infrastructure plan for network adequacy to integrate service delivery beyond 2019 and to recognize the State's increasing aging population.

Thank you for the opportunity to comment. Please feel free to contact me to discuss.

Sincerely,



Janet Heath  
Executive Director