



April 29, 2024

The Honorable Brett Guthrie
United States House of Representatives
2434 Rayburn House Office Building
Washington, DC 20515

The Honorable Anna G. Eshoo
United States House of Representatives
272 Cannon House Office Building
Washington, DC 20515

Chair Guthrie and Ranking Member Eshoo,

On behalf of our nearly 5,000 member companies, the Home Care Association of America (HCAOA) would like to offer our sincerest thanks for introducing the Continuous Skilled Nursing Quality Improvement Act of 2024, a monumental piece of bipartisan legislation for America's medically fragile children and adults who require continuous skilled Nursing (CSN) services, also known as private duty nursing (PDN) services.

CSN (and PDN) is defined as continuous skilled nursing care provided in the home for medically-complex and vulnerable pediatric and adult patient populations. This care was authorized under a Medicaid waiver after the passage of the Tax Equity and Fiscal Responsibility Act of 1982 (sometimes called a 'TEFRA Waiver' or a 'Katie Beckett Waiver'). This waiver enabled children under the age of 19 to access Medicaid coverage regardless of family income, allowing them to live in the comfort of their own home rather than in a hospital or institution. These children often require assistive technology such as ventilators and tracheostomies to stay alive.

These complex services are required by some of the most medically fragile individuals in the country, both children and adults. This incredibly vulnerable and fragile patient population requires skilled nursing services from between 4 to 24 hours a day every day in order to manage their chronic conditions and keep them safe in their homes and communities. While PDN services currently allow medically-complex individuals to remain at home, dramatically increasing their quality of life, there are several ongoing policy challenges that create barriers to treatment.

The arrival of the TEFRA/Katie Beckett Waiver signaled a new era in the provision of care for those in need of CSN/PDN services. Unfortunately, there has been little federal action to help improve and modernize the program in the last 40 years. This legislation will remove provider and administrative hurdles that hinder patient care while simultaneously establishing clinical quality measures that protect both patients and providers alike. Most notably, the Continuous Skilled Nursing Quality Improvement Act aims to:

- Create Consistent National Standards for CSN/PDN Services



- Protect patients through newly redefined standards of care that mandate reporting on critical health elements and ensure that caregivers are properly trained to care for individuals at home.
- Remove unsuitable CMS criteria that does not apply to pediatric populations.
- Redefine what we call these critical services
 - Private duty nursing (PDN) is a confusing, now outdated term that is often used differently in the home care and home health spaces. This legislation will change the definition of PDN services to more accurately reflect the services and beneficiaries the services cover, utilizing the new and widely accepted term “continuous skilled nursing” (CSN) to describe this type of care.

Patients in both rural and urban settings benefit from PDN/CSN services daily. This legislation ensures that patients and their families will continue to thrive under this critical Medicaid benefit. On behalf of our home care providers, members, and stakeholders, thank you for your leadership on this incredibly important issue. We look forward to working with your office and a wide ranging coalition of supporters to ensure passage of the Continuous Skilled Nursing Quality Improvement Act of 2024.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason R. Lee".

Jason R. Lee
CEO
Home Care Association of America