



November 9, 2017

I am writing as Vice President of the Board of Directors of Community Partners. During our July Retreat, the Board authorized me to lead an ad-hoc committee to examine the effect of the Center for Medicaid and Medicare Services' (CMS) rule on our agency. For purposes of this discussion I will describe it as Conflict Free Case Management. Essentially, this rule indicates that an Agency that is a provider of case management services cannot also provide other supports and services to the individuals.

Because this proposed rule is likely to have a very significant impact on services in Strafford County, we have examined its ramifications on our fiduciary responsibility as board members. We have held two separate family forums and discussions, which included an examination of the current State rules, and the possible financial effects. At the conclusion of our process, we have come to believe that the regulation by CMS will, if not implemented correctly, create very significant complications for the individuals and the families that our agency serves. We raise this concern based on the following reasons:

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- 1). Embedded in the New Hampshire State rules are provisions that allow families ample opportunity to choose case management and other service providers. We believe that the spirit and practice of choice are well grounded in our State rules and exercised vigorously by our Agency. A wrongful implementation of the CMS rule will essentially disregard consumer choice regarding selection of provider of services. NH's current rules and practices of providing choice has been a distinct and advantageous feature of our state's service system. Therefore, we cannot support any strategy that will allow reductions in the provider options for services for our children.
- 2). Almost all of the changes and improvements within NH's current system have been initiated through the efforts of families and other state advocates. Because this is the first time a significant change might be launched by forces outside the NH's system we are concerned about precedent as well as future rule changes that could affect our children and system. We are very mindful of deceased parents who relied on our advocacy to keep their children's care intact.
- 3). There are many more questions than answers at this juncture with respect to the future of NH's service delivery system and its organization. We are uncertain as to how much money will be spent with respect to the issue of Conflict Free Case Management; however, it seems certain that money will come from an already limited funding source. We believe that available funds would be better spent to improve the wages of our underpaid direct support professionals, increase the services for adult children living with their aging parents, or serve any number of people on the wait lists who need more supports.
- 4). Currently, if no vendor agency will be willing to contract for needed services, area agencies are able to provide the required services and act as a safety net. We are concerned that if the area agencies are forced to give up their capacity to provide day and residential services that safety net will disappear with dire consequences for individuals and their families.
- 5). Lastly, in our individual meetings with families, we have not heard concerns about the implied conflict regarding Case Management Services. And, in our public forums, families referred to the fact that they had received information about the opportunity to choose their providers not only at the time they were coming into the system but also annually at the service planning and agreement process. Nevertheless, Community Partners is willing to review and improve its practices within the context of the existing regulations that promote consumer choice.

Because of these factors, we urge all families to reject any proposals that would undermine the current practice of allowing individuals and their families to choose the providers of their services.

Thank you for your time and we will continue to update you on our process as a board.

Wayne Goss, Vice President
Community Partners Board of Directors

Community Partners

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