



Dedicated To Florida Long Term Care Medicine

Florida Medical Directors Association

Serving medical directors in Florida's postacute, subacute, skilled care and assisted living facilities.

www.fmda.org

PRESIDENT

Hugh W. Thomas, DO, FAAFP, CMD
Casselberry, Fla.
(407) 831-5252 • Fax: (407) 831-3765
Hwthomas2000@aol.com

VICE PRESIDENT

John Symeonides, MD, FAAFP, CMD
Palm Coast, Fla.
(386) 246-7596 • Fax: (386) 246-7597
ygeia@bellsouth.net

IMMEDIATE PAST-PRESIDENT

John Potomski Jr., DO, CMD
Melbourne, Fla.
(321) 724-4545 • Fax: (321) 725-2695
potomskiDO@aol.com

SECRETARY/TREASURER

Daniel Fortier, MD, FACP, CMD
West Palm Beach, Fla.
(561) 659-7411 • Fax: (561) 659-7423
defort9@aol.com

CHAIRMAN OF THE BOARD

Carl Suchar, DO, CMD
Clearwater, Fla.
(727) 441-1451 • Fax: (727) 446-9528
carldoc1@aol.com

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NP/PA Liaison
West Palm Beach

CHAIRMAN, FMDA INDUSTRY ADVISORY BOARD

Malcolm Fraser, MD, CMD
St. Petersburg
(727) 510-2785 • Fax: (727) 865-6765
mf@baygeriatrics.com

Position Statement

The Florida Medical Directors Association (FMDA) recognizes that the state of Florida desires a policy (based upon the settlement of "Long v. Benson lawsuit") that would strengthen the provision of home- and community-based service (HCBS) options for Medicaid recipients needing long-term care (LTC). The testimony attached is the opinion of one diversion provider (American Eldercare) and does not necessarily reflect the position of the other diversion providers or FMDA. For example, another diversion provider (Evercare) believes the number of custodial Medicaid patients in Florida nursing homes (NH) who would choose to and are capable of being safely transitioned to a HCBS setting are much closer to DOE's estimate (800) than the number used in American Eldercare's testimony (29,750). In other states where this has been studied, such as in Arizona, it has been demonstrated that over time there is an increase in HCBS options and slower rate of growth in NH custodial care. However, that is primarily driven by offering alternatives to people currently living in the community and minimally due to transitioning residents out of NHs (i.e., delay or defer NH placement rather than promote discharge).

FMDA supports the concept that care of the elderly should be individualized and provided in the least restrictive appropriate environment, consistent with OBRA 87. Representing physicians in the LTC continuum, FMDA is supportive of expanding programs that protect LTC Medicaid patients' right to choose HCBS options when they can be safely cared for in the community. However, there must be clear guidance, oversight and accountability to any process of transitioning less frail long-term nursing home residents out of the nursing home to ensure it is done in a manner that protects patients' health, safety and independence. There is work underway at American Medical Directors Association to address this through the development of medical care protocols for assisted living facilities. Finally, we have concerns that the number of persons currently living in Florida's nursing homes that could safely be transitioned to a HCBS setting presented in the attached testimony are significantly inflated and lack supporting evidence.

Hugh W. Thomas, DO, FAAFP, CMD
President

John Potomski Jr., DO, CMD
Chairman Government Affairs
Immediate Past President