

12/23/2019

Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-2393-P
P.O. Box 8016
Baltimore, MD 21244

To Whom It May Concern:

Please accept this letter of comment on the recently proposed rule, “*Medicaid Program; Medicaid Fiscal Accountability Regulation*.” The changes in this proposed rule would impact our facility due to the rule’s significant impact on Texas’ largest pay for performance program called the Quality Incentive Payment Program (QIPP).

Legend Oaks Healthcare and Rehabilitation – Kyle is committed to providing high quality care and continually strive to do the best for the residents we serve. Since 2017, Legend Oaks Healthcare and Rehabilitation – Kyle has participated in the QIPP Program.

As the only supplemental payment program currently available for the nursing home sector in Texas caring for over 60,000 Medicaid recipients daily, QIPP demonstrates the importance the state places on improving quality outcomes for the frail and elderly of Texas. Having shown its effectiveness through actual improvement in measured outcomes, efforts to expand the program should be considered. The financing changes proposed in this rule would negatively impact access to care for residents in my community and would hit nursing facilities, like ours, a major employer in Kyle. Because of QIPP, Legend Oaks Healthcare and Rehabilitation – Kyle has been able to:

- Increase staffing;
- Increase wages and benefits for staff;
- Better compete in an extremely competitive labor market and fill open positions;
- Reduce turnover;
- Implement new technologies;
- Improve and expand staff training and education programs;
- Improve quality;
- Implement value-based purchasing; and
- Make capital improvements to improve the physical setting for our residents.

We are passionate about the care our staff provide to our residents. If CMS moves forward with the proposed rule as drafted, we are concerned about the impact this would have on patient care and quality. In addition, given the tight timeframe CMS is proposing for states to come into compliance with the proposed changes, we request that CMS consider a five (5) year transition period that applies to *all* the regulatory changes proposed in this rule. Thank you for your time in reviewing and considering our comments.

Sincerely,

Matt Fowers
Administrator

