

Congresswoman Kat Cammack Introduces Legislation To Block 80-20 Rule

By Joyce Famakinwa | April 26, 2024

One policymaker is attempting to put a halt to the 80-20 rule.

At the start of the week, [the “Ensuring Access to Medicaid Services” rule was finalized](#). The [80-20 provision](#) is, arguably, the most controversial component of the Medicaid rule. In summary, the provision calls for 80% of Medicaid payments for home- and community-based services (HCBS) to be earmarked for direct care workers’ compensation.

On Thursday, Congresswoman Kat Cammack (R-Fla.) [introduced a bill](#) to block the U.S. Department of Health and Human Services (HHS) from finalizing the 80-20 provision.

Additionally, the legislation would also block HHS from implementing any similar rules that place a minimum requirement for how much of Medicaid spending on HCBS goes towards direct workers’ wages.

Cammack’s reason for introducing this legislation is her belief that the 80-20 provision will severely limit access to care at a time when providers are already struggling to serve patients.

“The Biden administration’s proposed ‘80/20’ rule would require states to spend billions in new unfunded mandates or force HCBS providers to reduce access to care for those who need it most,” Cammack said in a press statement. “Because of top-down demands from the Biden administration, home care agencies can’t keep up with staffing levels and overall care levels while complying with this rule. It’s putting millions of Americans at a sharp disadvantage and only exacerbating the challenging issues we already face.”

Cammack isn’t the only person that has expressed similar concern about providers’ ability to deliver services under the 80-20 rule.

Leaders at organizations like Home Assist Health, the National Association for Home Care & Hospice (NAHC) and Addus HomeCare Corp. (Nasdaq: ADUS) have spoken out against the rule for similar reasons.

“It compromises our network integrity for care at home,” Sara Wilson, president and CEO of Home Assist Health, [previously told Home Health Care News](#). “It makes me

nervous, because it could affect our ability to care for the people who we are here to serve.”

NAHC President William A. Dombi took aim at what he believed to be a contradictory rule.

“At its core, the rule is a fundamental contradiction,” Dombi [previously told HHCN](#). “It’s saying, we have all of these things we need to do to improve the quality of care, to improve the lives and the health and safety of individuals. All of those things require administrative expenses to achieve. Yet at the same time, the rule is saying, ‘We’re cutting the available funding for you to implement those same activities we’re requiring.’”

Despite Addus’ pushback against the 80-20 provision, the company believes that it is well-positioned to push for rate increases to combat the rule’s impact.

“The conclusion is that you have to be big,” [Addus CEO Dirk Allison said at the Raymond James conference last month](#). “That’s not just big nationally, you have to be big in a state. If you look in the states where we are very large, we have a great deal of access to the state government, and can work with them on the reasons why we need increases in rates, which is what it will take for certain state programs to remain competitive, if this goes through. We’re working on that.”