

For Immediate Release
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National Academy of Elder Law Attorneys and Aging Leadership Join Efforts to Stop Harmful Medicaid Florida Waiver Proposal

Waiver Would Require Residents to Enter into Private, Managed Care Program; NAELA Urges Centers for Medicare and Medicaid Services (CMS) to Reject Other State Waiver Requests

Washington, D.C. – The [National Academy of Elder Law Attorneys](#) (NAELA), along with members of the Leadership Council of Aging Organizations (LCAO), met with Marilyn Tavenner, the new Acting Administrator of the Centers for Medicare and Medicaid Services (CMS), and reiterated their opposition to a Florida waiver proposal to require frail and vulnerable adults who receive Medicaid for long-term services and supports to enter into a private, managed care program. Ms. Tavenner was the guest speaker at the January monthly meeting of the LCAO and fielded questions on numerous issues, including the [recent letter from the LCAO](#) opposing the Florida waiver proposal, which was signed by 29 LCAO members. NAELA worked with its Florida Chapter and other aging and disability organizations to formulate the letter. [AARP had previously sent its own letter](#) to CMS outlining its opposition to the proposal submitted by the State of Florida.

“NAELA is dedicated to enhancing the quality of service for our clients, most of whom are older or individuals with disabilities. We do not believe that the private managed care system will safely and effectively serve older and disabled Florida residents. Further, other states may mistakenly believe that Florida has adequately tested the system, and the state has not. In fact, long-term care recipients were not included in the recent demonstration that the state conducted,” said NAELA President Edwin Boyer, Esq., CAP.

A major concern with requiring participation in private managed care organizations is that they do not consistently meet the quality measures they should. Ms. Tavenner emphasized that CMS will be looking at how the waiver proposals address quality, and if the appropriate measures are in place to monitor quality of care and service. The LCAO, NAELA, and other coalitions have spent a great deal of time in recent months fighting unwarranted cuts (at both the state and federal levels) to Medicaid, which serves some of the nation’s most vulnerable individuals.

NAELA and the LCAO support the nomination of Ms. Tavenner to serve as Administrator of CMS.

About NAELA

Members of the National Academy of Elder Law Attorneys (NAELA) are attorneys who are experienced and trained in working with the legal problems of aging Americans and individuals of all ages with disabilities. Established in 1987, NAELA is a non-profit association that assists lawyers, bar organizations and others. The mission of NAELA is to establish NAELA members as the premier providers of legal advocacy, guidance and services to enhance the lives of people with special needs and people as they age. NAELA currently has members across the United States, Canada, Australia and the United Kingdom. For more information, visit NAELA.org.

About Elder and Special Needs Law

Elder and Special Needs Law are specialized areas that involve representing, counseling and assisting seniors, people with disabilities and their families in connection with a variety of legal issues, with a primary emphasis on promoting the highest quality of life for individuals. Typically, Elder Law and Special Needs Law address the convergence of legal needs with the social, psychological, medical and financial needs of individuals. The Elder Law and Special Needs Law attorney handles estate planning and counsels clients about planning for incapacity with health care decision-making documents. The Elder and Special Needs Law attorney also assists clients in planning for possible long-term care needs, including at-home care, assisted living or nursing home care. Locating the appropriate type of care, coordinating public and private resources to finance the cost of care and working to ensure the client's right to quality care are all part of the Elder and Special Needs Law practice.

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