



Family Care Council Florida

Agency for Persons with Disabilities

Ann Millan, Chairperson
amnvic@tampabay.rr.com
www.fccflorida.org

Vice Chairperson:

Bob Wessels

March 27, 2006

Past Chairperson:

Frank Carroll

Alan Levine

Secretary

District Chairs:

Florida Agency for Health Care Administration

District 1

Tallahassee, FL

Joy Frazier

District 2

Dear Secretary Levine,

John Stone

District 3

Choice for Medicaid enrollees is a central principle of Medicaid reform. In the Florida Medicaid Reform Waiver application, approved by CMS, Florida has stated clearly that market competition is required to inspire innovation and efficiency.

Shelly Voelker

District 4

Vacant

SunCoast Region

Beverley DeStories

It is hard for families to understand how you can issue an RFP for a single source vendor for disposable medical incontinence supplies yet at the same time promote Medicaid reform on the basis of a need in our state for marketplace competition to control costs and improve patient satisfaction. As it clearly describes in the Medicaid Reform application, it is through the exercise of choice that Medicaid enrollees will have a direct impact on their health care delivery system. By contracting with a single vendor for incontinence supplies, the state will have effectively taken away all choice for Medicaid state plan and Medicaid Waiver enrollees.

District 7

Donna Rauber

District 8

Sheryl Soukup

District 9

Maryellen Jones

Please allow us to give you a real life example from a family perspective:

District 10

Bob Wessels

District 11

Margarita Montalvo

Choice has been very important to young Eva and her family. Eva is an eight-year-old girl with cerebral palsy and multiple medical conditions. Eva uses incontinence supplies because she has a colostomy, her bladder must be emptied with a catheter and she has a condition that requires diapers due to frequent bleeding. After trial and error, the complex medical team, along with her family, has identified a set of medical supplies that will meet her needs and prevent further complications. She has been using these for years. The physicians have determined that it is medically necessary for Eva's medical care involving these products to be performed a certain way at a specific frequency.

District 12

Edith Kagle

District 13

Betty Clements

District 14

Pete Wesley

District 15

Todd Decker

The mission of the Family Care Council Florida is to advocate, educate, and empower individuals with developmental disabilities and their families, partnering with the Department, to bring quality services to individuals for dignity and choice.

Home health nursing staff are bound by law to follow this procedure, using the supplies, the procedure and the frequency ordered the physician. This creates a difficulty for all involved when the required medical supplies are unavailable due to poor service from a vendor. When Eva's supplies were provided by one particular company, the supplies were often delayed and the products needed were refused in favor of less expensive or more readily available products, to the benefit of the company that received Medicaid reimbursement, NOT to the benefit of Eva, the patient. Eva's family, therefore, exercised consumer choice, and called other companies until they found one that was willing to meet Eva's needs, without compromise, under Medicaid reimbursement rates. This included supplies that the company made little-to-no profit on, due to Eva's need for a more expensive product that was reimbursed at the same rate as a less-expensive product with the same reimbursement code. Because of market competition and consumer choice, Eva's family was able to answer poor customer service by taking her "business" elsewhere.

What will the Eva's of Florida now do when the contracted vendor fails to provide Eva's urinary catheters when promised? We understand the RFP has a clause entitling the state to exercise its right to contract cancellation and contractor suspension in the event of inability to deliver or intentional delays. However, will the state cancel the contract because Eva, one consumer in the system, does not get her medical supplies in a timely manner? And if the state decides to investigate the claim of Eva's family that the supplies were not delivered as promised, will one event be satisfactory to initiate an investigation, at taxpayers' expense? Is the state prepared to fund the additional and unnecessary expense of consequential medical care that arises when medically necessary supplies are unavailable? Eva's bladder is emptied by a sterile catheter that is intended for single-use to prevent infection. Who will waive the home health nurse's liability for using a contaminated catheter against doctor's orders? Who will reimburse Eva's mother for missed work time when Eva is hospitalized due to infection. Is the state prepared for a law-suit that could arise if young Eva were to tragically die due to complications resulting from a preventable urinary tract infection that arose from the use of dirty catheters?

The current competitive environment that exists between medical supply companies is the ingredient that prevents the above from happening. Eva's family, like many others, relies on their choice as consumers to move their "business" from one company to another when they are receiving poor service. A single-vendor system is too cumbersome for the state to take corrective action when individual consumers are treated unfairly. Such a system will put already vulnerable citizens in an even more vulnerable position, and the stakes are high.

WE REQUEST you continue to allow for market competition at the level of the consumer. We also suggest that cost-control measures separate over-the-counter, readily available products, such as diapers and wipes, from medical products that require a prescription or are associated with a medical procedure. If a vendor doesn't deliver diapers, a consumer can run over to the grocery store and pick up a pack in a pinch. However, if urinary catheters or associated products, such as betadine swabsticks, are not delivered, these are not readily available at a local store and their unavailability can result in potentially unsafe medical treatment of the patient.

Work with the providers we currently have. It can be done.



Ann Millan
Chairperson
Family Care Council Florida

The mission of the Family Care Council Florida is to advocate, educate, and empower individuals with developmental disabilities and their families, partnering with the Department, to bring quality services to individuals for dignity and choice.