



# Copper River Native Association

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Office of the President / CEO

September 22, 2016

*Via E-mail*

[jetta.whittaker@alaska.gov](mailto:jetta.whittaker@alaska.gov)

Ms. Jetta Whittaker  
Alaska Department of Health and Social Services  
240 Main Street  
Juneau, AK 99801

Re: Request to Withdraw Proposed PCA Coverage Regulations Pending Roll-out of Community First Choice Program – Tribal Consultation

Dear Ms. Whittaker:

Today, the Copper River Native Association submitted both public and tribal consultation comments regarding the proposed changes to the Personal Care Services regulations. We believe those changes are necessary to ensure the continued success of the Personal Care Services program if the Department continues with its efforts to revise the regulations at this time.

At the same time that it is pursuing these changes to the regulations, however, the Department has been exploring the possibility of converting Personal Care Services program into the 1915(k) Community First Choice (CFC) State Plan Option. We understand that the Senior and Disabilities Service's Development and Implementation Council now recommends the conversion be completed by July 2017. This conversion will likely entail adoption of new regulations, as the recently proposed regulations do not conform to a number of different requirements of the CFC plan.

As it now appears, then, the Department will go through the arduous process of significantly reworking the regulations in late 2016, with the attendant trainings and time for Department personnel, providers, and recipients to come up to speed on the new requirements, only to go through the same process not even a year later. Additionally, the conversion to the CFC plan will affect the proposed changes to the PCA reimbursement regulations. We cannot understand the reason for going through the process of revising two different sets of regulations twice in one twelve-month period.

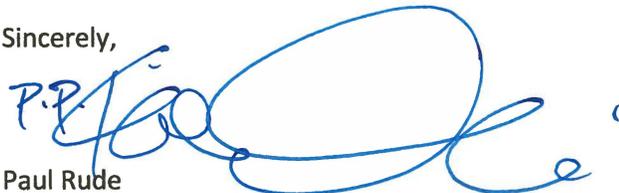
The Copper River Native Association respectfully urges the Department to withdraw the current proposed changes to both the coverage and reimbursement regulations for Personal Care Services, and use the time between now and July 2017 to draft regulations that conform to the requirements of the CFC plan. The current regulations are perfectly adequate for the next nine months and we believe everyone's time will be better spent ensuring a smooth roll out of the CFC plan.

We applaud the Department's commitment to ensuring that its regulations are up-to-date and we share its goals of ensuring recipient safety and program effectiveness. We believe both goals will be best achieved by doing only one significant overhaul of regulations in the next year and ensuring that the CFC plan rolls out smoothly.

We are submitting this additional letter as part of both our public comments under the Administrative Procedure Act (APA) and our tribal consultation comments on the proposed changes to the PCA coverage regulations. Although it may not be necessary, we are sending the letter to you twice, once for inclusion with our APA comments, and once for inclusion with our tribal consultation comments.

Please do not hesitate to contact us with any questions.

Sincerely,



Paul Rude  
Chief Executive Officer

cc: Valerie Davidson, Commissioner, Department of Health and Social Services  
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