

February 3, 2014

Leonard Russ
CHAIR

Bayberry Care/Aaron Manor Rehab
New Rochelle, NY

Lane Bowen
VICE CHAIR

Kindred Healthcare
Louisville, KY

Robin Hillier
SECRETARY/TREASURER

Lake Point Rehab & Nursing Center
Conneaut, OH

Neil Pruitt, Jr.
IMMEDIATE PAST CHAIR

UHS-Pruitt Corporation
Norcross, GA

Michael Wylie
EXECUTIVE COMMITTEE LIAISON

Genesis Health Care
Kennett Square, PA

Paul Liistro
AT-LARGE MEMBER

Arbors of Hop Brook
Manchester, CT

Deborah Meade
AT-LARGE MEMBER

Health Management, LLC
Warner Robins, GA

David Norsworthy
AT-LARGE MEMBER

Central Arkansas Nursing Centers, Inc.
Fort Smith, AR

Frank Romano
AT-LARGE MEMBER

Essex Health Care
Rowley, MA

Tom Coble

INDEPENDENT OWNER MEMBER
Elmbrook Management Company
Ardmore, OK

Tim Lukenda
MULTIFACILITY MEMBER

Extendicare
Milwaukee, WI

Gary Kelso

NOT FOR PROFIT MEMBER
Mission Health Services
Huntsville, UT

Glenn Van Ekeren

REGIONAL MULTIFACILITY MEMBER
Vetter Health Services
Elkhorn, NE

Pat Giorgio

NCAL MEMBER
Evergreen Estates
Cedar Rapids, IA

John Poirier

ASHCAE MEMBER
New Hampshire Health Care Association
Pembroke, NH

Shawn Scott

ASSOCIATE BUSINESS MEMBER
Medline Healthcare
Mundelein, IL

Mark Parkinson

PRESIDENT & CEO

The Honorable Tim Walberg
Chairman
Committee on Education and the Workforce Subcommittee on
Workforce Protections
United States House of Representatives
2181 Rayburn House Office Building
Washington, DC 20510

Dear Chairman Walberg:

On behalf of the members of the American Health Care Association and National Center for Assisted Living (AHCA/NCAL) that provide essential care to approximately one million individuals in more than 12,000 not for profit and for profit member facilities, I am writing to express our support for your legislation, the Protecting Health Care Providers from Increased Administrative Burdens Act (H.R. 3633). This crucial legislation clarifies that certain recipients of payments from the Federal Government related to the delivery of health care services to individuals shall not be treated as Federal contractors by the Office of Federal Contract Compliance Programs (OFCCP) based on the work performed or actions taken by such individuals that resulted in the receipt of such payments.

AHCA/NCAL, its affiliates, and member providers advocate for the continuing vitality of the long term care provider community. We are committed to developing and advocating for public policies which balance economic and regulatory principles to support quality care and quality of life. We cannot support actions that harm the services provided to the poor and most vulnerable citizens in our communities. Therefore, we are in opposition to the OFCCP's recent aggressive attempts to expand the agency's jurisdiction over nursing centers and other key health care providers by asserting that these providers' participation in managed care networks offered through TRICARE, the Federal Employee Health Benefits Program and Medicare Parts C and D effectively makes them "federal subcontractors" and, thus, subject to OFCCP's often crushing regulatory burden.

In particular, as H.R. 3633 moves forward in Congress, we want to ensure that it is clearly defined that managed care networks are safe from OFCCP's jurisdiction.

It is evident that H.R. 3633 will provide much needed direction for OFCCP policy to ensure that the financial and administrative burdens of complying with the agency's regulatory scheme do not threaten access to quality patient care.

Thank you for the opportunity to weigh in on this important matter. AHCA/NCAL looks forward to working with you and the cosponsors of H.R. 3633 on advancing this legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Parkinson". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping underline.

Mark Parkinson
AHCA/NCAL President & CEO