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## **HCP Applauds U.S. Supreme Court Decision in Landmark Home Care Case**

### *Ruling in favor of Long Island Care at Home over Plaintiff Coke*

ALBANY, NY -- The New York State Association of Health Care Providers, Inc. (HCP) applauds the decision of the United States Supreme Court regarding Long Island Care at Home vs. Coke. The Nation's highest court unanimously ruled in favor of Long Island Home Care, putting an end to a drawn out legal battle that had the potential to severely restrict access to home care services across the country.

"I applaud the court for deferring to the legislative intent of Congress and the expertise of the Department of labor," said Phyllis Wang, HCP President, of the decision regarding disputed federal labor regulations that exempt some home care workers from federally mandated wage laws. "HCP strongly supports fair and reasonable wages for home care workers, but the home care industry should not and cannot be penalized for adhering to regulations set forth by the U.S. Department of Labor. The court's ruling recognizes this and is a great victory for home care providers and patients."

The case stems from a suit regarding the Fair Labor Standards Act (FLSA) of 1974. An amendment to the FLSA, which determined minimum wage and overtime guidelines for household workers, provided an exemption of the rules for babysitters and companions serving the disabled or elderly, which in the opinion of the U.S. Supreme Court includes the plaintiff.

Wang said that the issue is not that home care agencies do not want to pay better wages, more simply their hands are tied because Medicare and Medicaid rates are set by the government, meaning agencies cannot raise rates like more traditional businesses in order to provide higher wages and benefits.

"Had the justices agreed with Ms. Coke, access to home care for thousands of New Yorkers and patients across the country could have been jeopardized. Changes in the wage requirements for home health workers need to be addressed by Congress through increased reimbursement. HCP is overwhelmingly pleased with the court's decision and ready to move forward with the Association's mission of developing and advocating for policies and programs which set the industry standards for quality and excellence in patient care services," concluded Wang.

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*HCP is a statewide trade association representing the full spectrum of home care and hospice agencies in New York.*