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**STATE SENATOR  
LISA BAKER**  
20TH SENATORIAL DISTRICT



**Senate of Pennsylvania**

April 9, 2015

**COMMITTEES**

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The Honorable Tom Wolf  
225 Main Capitol Building  
Harrisburg, PA 17120

Dear Governor Wolf:

Pennsylvanians generally welcome the promise that your administration is committed to being open and transparent in its actions. Thus, people are perplexed when they see an early effort that is clouded in terms of why it came about and what the impact will be.

The executive order issued in late February pertaining to direct care workers raises fundamental questions about the purpose, the method, the justification, and the cost.

- Where is the benefit for taxpayers in this?
- What compelling problem is this order attempting to address?
- Where is the clamor coming from that made this a priority initiative in the early going for the administration?
- Why the indirect and less visible route of an executive order?
- Why the need to reach beyond our borders to enlist a New York firm to carry out this mission?
- What prevents direct care workers from approaching administration officials or legislators for changes in law or policy?
- How does home health care become more affordable and more accessible if state government drives up its cost?
- If the state intends to take on the added cost, where is that money coming from in the current circumstances? How are unintended consequences avoided?

The answers to these questions are not to be found in the language of the order. Nor were they forthcoming during the Senate budget hearings. I asked two of your cabinet members about this plan. The response from Secretary Dallas was odd in that it suggested the workers need to organize to present to him. Secretary Manderino declined to offer a view or explanation.

History is not helpful. It is hard to see much change in the legal, political, and economic situation from 2010, when Governor Rendell rescinded a similar executive order after an injunction from Commonwealth Court.

At a time when there is an expressed interest in finding efficiencies to control spending, this initiative seems certain to increase costs in a variety of ways.

There has been sharp criticism of the previous administration for spending money on outside counsel. Yet, this contract involves spending for an organization outside the state to do work aimed at raising costs for providers and consumers. This will be topped by the expense involved in defending against the court challenge recently announced.

Because of what has taken place at the federal level in recent years, an executive order that seems to short-circuit public debate understandably raises suspicion and fuels speculation. Without a lot more in the way of explanation, this on the surface looks like the standard method for putting state government into another part of private life, complicating things and making life more expensive. Given the amount of consensus-building that must take place to deal with an extraordinarily challenging state budget problem, this step does not seem a productive way to start off.

There is usually reluctance in state government to step back, reconsider, and reset an approach once it is launched and opposition asserts itself. But in the context of the larger health care and budget debates ahead of us, reassessing this matter might prove a prudent course. The court challenge offers a reason for doing so.

Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink that reads "Lisa Baker". The signature is written in a cursive, flowing style.

Lisa Baker  
Senator