



**STATE OF RHODE ISLAND
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

NOTICE OF PUBLIC HEARING AND EXTENDED PUBLIC COMMENT PERIOD

The Rhode Island Executive Office of Health and Human Services (EOHHS) is scheduling the public hearing noted below in response to requests from the Rhode Island Health Care Association and LeadingAge RI received on September 30, 2021. The hearing is related to the following EOHHS proposed State Plan Amendment:

Nursing Home Base Rate Staffing Adjustment, Minimum Staffing Compliance, Wage Pass-Through Requirements and Payment Methodology Updates

In accordance with enactments of legislation from the 2021 session of the Rhode Island General Assembly and to ensure compliance with CMS requirements to update the Rhode Island State Medicaid Plan to reflect current payment methodologies, EOHHS will submit to the federal Centers for Medicare and Medicaid Services (CMS) an amendment to the Rhode Island Medicaid State Plan to require that in addition to the annual nursing home inflation index adjustment there will also be a base rate staffing adjustment of one-half percent (0.5%) on October 1, 2021, one percent (1.0%) on October 1, 2022, and one and one-half percent (1.5%) on October 1, 2023. The amendment also establishes new minimum staffing and wage-pass through requirements for nursing homes.

The amendment will also authorize EOHHS to enforce compliance of these new requirements through Medicaid payment clawbacks, withholding of Medicaid payments to nursing homes for individuals admitted on or after January 1, 2022 or freezing of admissions of new residents. The amendment also clarifies the source of the data for the RUG score can be submitted by the provider as part of the MDS Assessment. The amendment further clarifies the annual inflationary review process and Fair Rental Value calculations for nursing homes.

Notice is hereby given in accordance with the provisions of Chapter 42-35 of the Rhode Island General Laws, as amended, that the Secretary will hold a public hearing on the above-mentioned matter on **Thursday, October 21, 2021 at 11a.m.** at which time and place all persons interested therein will be heard.

The Public Hearing will be convened as follows:

Thursday, October 21, 2021 at 11 a.m.

Dr. Johannes Virks Building Group Training Rooms
RI Executive Office of Health and Human Services,
3 West Road, Cranston, RI 02920

CONFERENCE CALL LINE FOR LISTEN ONLY: 888-551-8506

Passcode: 99322816

The proposed amendment is accessible on the EOHHS website (www.eohhs.ri.gov) or is available in hard copy upon request by calling (401) 462-1501 or RI Relay, dial 711. Interested persons should submit data, views, or written comments **by Friday, October 29, 2021** to Bryan Law, Executive Office of Health and Human Services, 3 West Rd, Cranston, RI, 02920, or bryan.law@ohhs.ri.gov.

The Rhode Island Executive Office of Health & Human Services in the Virks Building is accessible to persons with disabilities. If communication assistance (readers /interpreters /captioners) is needed, or any other accommodation to ensure equal participation, please notify the Executive Office at (401) 462-1501 (hearing/speech impaired, dial 711) at least three (3) business days prior to the public hearing so arrangements can be made to provide such assistance at no cost to the person requesting.

Per Rhode Island Department of Administration guidance, it is recommended members of the public attending to wear a facial covering or mask regardless of vaccination status. Visitors to State facilities still need to complete a COVID-19 health screening and receive a color sticker to be admitted into state facilities.

Signature: _____

Original Signed by Assistant Secretary Ana Novais on behalf of, Womazetta Jones,
Secretary, Executive Office of Health and Human Services Signed this 6th day of October 2021