



Responses to Public Comments: Proposed Medicaid State Plan Amendment (SPA) for Home Care Agency Rate Increase

Public Comment Period: June 30, 2022 – July 30, 2022

Category	Nature of the Comments	EOHHS' Response
<p>Average vs. Minimum</p> <p>25 related comments</p>	<ol style="list-style-type: none"> 1. Objection to the use of the word “average” and request that it be changed to “minimum”. 2. Governor’s budget said minimum of \$15/hour, not an average of \$15/per hour and the SPA should reflect what was signed by the Governor. 3. It is essential that direct care workers are paid adequately to ensure quality care and paying an average of \$15/hour is not adequate. 4. Poor pay leads to a shortage of home health care workers 5. \$15/hour minimum is not a high enough wage to attract, retain skilled home care workers. 	<p>EOHHS appreciates the feedback regarding the use of the word average vs. minimum of \$15 per hour. EOHHS has amended the final language of the Medicaid State Plan Amendment (SPA) public posting to reflect a “minimum wage” requirement instead of the “average wage” language in the public notice posting.</p>
<p>No rate increase percentage proposed</p>	<ol style="list-style-type: none"> 1. While there is an appropriation noted through the SFY23 budget, there is no specific rate increase determined. What is the Medicaid Program proposing for the SFY23 contracted home care rate increase? 	<p>The following home health/home care service rates in effect as of 7/1/22, before enhancements or modifiers, are:</p> <ul style="list-style-type: none"> • S5125: \$6.63 • S5125 U1: \$6.41 • S5130: \$6.21 <p>This represents a total increase of 13.88% (2.43% for the annual inflationary increase and an additional 11.45% related to this State Plan Amendment)</p>
<p>No allocation proposed for skilled nursing services or pediatric care</p>	<ol style="list-style-type: none"> 1. This includes hospice care, skilled nursing for pediatrics and adults, private duty nursing and therapeutic services. What is the Medicaid Program proposing for rate increases for these services in SFY23? 	<p>EOHHS appreciates the question raised regarding the rate increases for other services. The General Assembly appropriation was based on the agency’s October budget submission.</p> <p>The authorizing language in the SFY 23 Enacted Budget stated “(p) Increase Rates for Home Based Services. To ensure better access to home care services for children, the elderly and disabled adults, the Executive Office proposes to increase reimbursement rates in both fee-for-service and managed care to a minimum of \$15 an hour for direct care workers.”</p> <p>This language and the corresponding appropriation encompassed several October agency initiatives including:</p> <ol style="list-style-type: none"> 1. CNA Personal Care, Homemaker, and CNA Combined Personal Care and Homemaker Services (this SPA); 2. Personal Choice program; 3. Independent Provider program; 4. Children’s therapeutic and respite services (Home Based Therapeutic Services (HBTS), Applied Behavior Analysis (ABA), Personal Assistance Services and Supports (PASS), Respite and Kids Connect) <p>The remaining services (#2-4) are authorized by the 1115 waiver, not the State Plan. Therefore, EOHHS does not need to submit a State Plan Amendment to increase the rates. The remaining rate increases were communicated to CMS via email notification, as required for waiver rate changes, and have been approved. EOHHS is in the process of implementing these.</p>

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No recognition for contracted providers nationally-accredited through the Accreditation Commission for Health Care (ACHC)	<ol style="list-style-type: none"> The SPA recognizes The Joint Commission and the Community Health Accreditation Program (CHAP) but did not list ACHC. ACHC has deemed status with CMS for home care accreditation. Subsequently, the Medicaid Program has recognized ACHC in the past. The SPA lists the Council on Accreditation (COA) in its recognized list, but COA does not specifically accredit home care providers. Was listing COA an error by the Medicaid Program? Will the Medicaid Program continue to recognize ACHC as a national accrediting organization for contracted home care providers? 	<p>Hospice rates (provider type 27) were adjusted on 7/1/2022 with a 2.43% annual inflationary adjustment. Skilled nursing rates are adjusted annually on October 1; a State Plan Amendment for the 3% skilled nursing rate increase is forthcoming and must be posted by September 30.</p> <p>EOHHS appreciates the questions concerning why ACHC accreditation is not listed as a qualifying form of national accreditation for the enhancement. The description of the accreditation enhancement was added to the state plan in 2017 and codified an existing practice for home care providers with CHAP, COA, or JCAHO accreditation. The list of qualifying accrediting bodies has not been amended since that time, nor was it updated in the current SPA.</p> <p>However, EOHHS recognizes that ACHC accreditation is a CMS recognized national accreditation and will add it to the SPA.</p>
Wages of mental healthcare workers	<ol style="list-style-type: none"> Mental healthcare workers are not paid a sufficient wage to retain them once they acquire the skills they need to do a good job which leads to a paucity of mental healthcare services for Rhode Islanders living with mental illness 	<p>EOHHS appreciates the public comment received regarding the need for wage increases for other service provider types. The SFY2023 Budget authorization for the rate increases proposed in this State Plan Amendment did not include rate increases for mental healthcare services, but in state fiscal year 2022 the state did implement a Behavioral Health enhancement for Home Care providers.</p>