

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

**6/29/2018 PUBLIC NOTICE OF PROPOSED AMENDMENT TO RHODE ISLAND MEDICAID  
STATE PLAN**

In accordance Rhode Island General Laws 42-35, notice is hereby given that the Executive Office of Health and Human Services (EOHHS) proposes to make the following amendment to the Rhode Island State Plan under Title XIX of the Social Security Act:

**Hospice, Home Care, and Home and Community Based Services**

EOHHS is seeking federal authority to increase the reimbursement rates for certain services, effective July 1, 2018, as follows:

- Increase to the Meals on Wheels reimbursement rate from \$4.50 to \$6.50. This increase will be applied to home delivered meals only (excludes frozen meals and shelf staples).
- Increase the current base rates for home care providers, home nursing care providers, and hospice providers for personal care attendant services by ten percent (10%).
- Increase the current base rates for home care providers, home nursing care providers, and hospice providers for skilled nursing, hospice care, and therapeutic services by twenty percent (20%).

In addition, EOHHS proposes to increase, on an annual basis beginning July 1, 2019, the base rates for personal care attendant services, skilled nursing services, therapeutic services, and hospice care by the New England Consumer Price Index card as determined by the United States Department of Labor for medical care.

This change would result in an increase in annual expenditures of approximately \$5.6 million all funds. The proposed effective date of this amendment is July 1, 2018.

This proposed amendment is accessible on the EOHHS website ([www.eohhs.ri.gov](http://www.eohhs.ri.gov)) or available in hard copy upon request (401-462-6348 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by July 29, 2017 to Melody Lawrence, Executive Office of Health and Human Services, 3 West Rd, Cranston, RI, 02920, or [Melody.Lawrence@ohhs.ri.gov](mailto:Melody.Lawrence@ohhs.ri.gov).

In accordance with the Rhode Island General Laws 42-35-3, an oral hearing will be granted on the proposed State Plan Amendment if requested by twenty-five (25) persons, an agency, or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Executive Office of Health and Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief, or handicap in acceptance for or provision of services or employment in its programs or activities.

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(2) Early, periodic, screening, diagnosis, and treatment of individuals under 21 years of age: on the basis of a negotiated fee schedule.

(3) Family planning services, drugs and supplies for individuals of child-bearing age when such services are under the supervision of a physician, as determined according to the elements inherent in the family planning service or the drugs and contraceptive devices necessary: on the basis of a negotiated physician fee schedule and the pharmacy fee schedule.

e. Physicians' services: on the basis of a negotiated fee schedule

f. Medical care of any other type of remedial care recognized under State law furnished by licensed practitioners within the scope of their practice as defined by law limited to:

(1) Podiatry services: on the basis of a negotiated fee schedule.

(2) Optometry services: on the basis of a negotiated fee schedule.

g. Home Health Services: Providers may receive enhancements to the base rates that are available on the fee schedule, updated as of July 1, 2018, and available at <http://www.eohhs.ri.gov/ProvidersPartners/BillingampClaims/FeeSchedule.aspx>. Effective July 1, 2019, and each July 1 thereafter, the base rates for personal care attendant services and skilled nursing and therapeutic services, provided by home care providers and home nursing care providers, will be increased by the New England Consumer Price Index card as determined by the United States Department of Labor for medical care. In order to receive enhanced payments, which are described below, each provider must submit a completed General Application for Enhanced Home Health Reimbursement to EOHHS.

1. Staff Education and Training
  - Enhanced Reimbursement: \$0.29 per 15-minutes for all Personal Care and Combination Personal Care/Homemaker services provided by a qualified agency.
  - Qualifications: The qualified agency must offer in-services at a frequency at least 20% over the RI Department of Health's licensure requirement. This means that at least fourteen (14) one-hour in-services will be required in a year.
  - How to Receive Enhancement: A plan of scheduled in-service topics, dates, times and instructors should be submitted to EOHHS for the six month period following initial application for this enhancement. To continue receiving the enhanced payment beyond the initial six-month period, the agency must submit for each in-service the title, training objectives, number of CNAs on the payroll on the date of the in-service, and a copy of the in-service sign-in sheet. Submissions should be for at least seven (7) in-services over a six-month period.
2. National Accreditation or State Agency Accreditation
 

*National:*

  - Enhanced Reimbursement: \$0.29 per 15-minutes of Personal Care and Combination Personal Care/Homemaker services provided by a qualified agency.
  - Qualifications: An agency with current National Accreditation is entitled to this enhancement.
    - Community Health Accreditation Program (CHAP) or
    - Council on Accreditation (COA) or
    - Joint Commission for Accreditation of Healthcare Facilities (JCAHO)
  - How to Receive Enhancements: Submit current CHAP, COA or JCAHO Accreditation certificate, and copy of the most recent survey results. Submit new certificate(s) and survey results as they are completed to continue the enhancement.

Note: Agencies can either receive State Accreditation or National Accreditation, not both.

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Items on the basis of the current prevailing rate at which the item is generally available to the public in the State of Rhode Island.

(4) Eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers of eyeglasses. The agency's fee schedule rate was set as of April 1993 for frames and March 2009 for lenses and is effective for services provided on or after those dates. All rates are published at

<http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Fee%20Schedules/Medicaid%20Fee%20Schedule.pdf>

- m. Nurse midwife services: except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers of nurse mid-wife services. The agency's fee schedule rate was set as of 2000 and is effective for services provided on or after that date. All rates are published at <http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Fee%20Schedules/Medicaid%20Fee%20Schedule.pdf>
- n. Hospice services: the minimum Medicaid Hospice rates are set prospectively by CMS based on the methodology used in setting Medicare Hospice rates, which are adjusted to disregard the cost offset attributable to Medicare coinsurance amounts. Hospice payment rates are also adjusted for regional differences in wages, using indices published in the Federal Register and daily Medicaid hospice payment rates announced through CMS's memorandum titled "Annual Change in Medicaid Hospice Payment Rates---ACTION."

Rates and fees, set as of July 1, 2018 and effective for services provided on or after that date, can be found by accessing the agency's website at

<http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Fee%20Schedules/Medicaid%20Fee%20Schedule.pdf>

The rates available at this website include all annual or periodic adjustments to the fee schedule made in accordance with changes made by CMS for hospice services. Additionally, effective July 1, 2019, and each July 1 thereafter, the base rates for Hospice services will be increased by the New England Consumer Price Index card as determined by the United States Department of Labor for medical care. Except as otherwise noted in the plan, state-developed fee schedules and rates are the same for both governmental and private providers.

- p. Home and community-based services: except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers of home and community-based services. The agency's fee schedule rate was set as of July 1, 2018 and is effective for services provided on or after that date. All rates are published at <http://www.eohhs.ri.gov/ProvidersPartners/ProviderManualsGuidelines/MedicaidProviderManual/HomeandCommunityBasedServices.aspx>
- q. Rehabilitative services: except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers of rehabilitative services. The agency's fee schedule rate was set as of February 2012 and is effective for services provided on or after that date. All rates are published at <http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Fee%20Schedules/Medicaid%20Fee%20Schedule.pdf>.
- r. Case management services: except as otherwise noted in the State Plan, state-developed fee schedule rates are the same for both governmental and private providers of case management services. The agency's fee schedule rate was set under the specific program that case management operates in a specific instance and is effective for services provided on or after those dates. All rates are published at <http://www.eohhs.ri.gov/Portals/0/Uploads/Documents/Fee%20Schedules/Medicaid%20Fee%20Schedule.pdf>.