



General Assembly

February Session, 2000

Bill No. 5248

LCO No. 940

Referred to Committee on Human Services

Introduced by:

REP. WARD, 86th Dist.

SEN. EADS, 30th Dist.

An Act Increasing Home Care Fee Schedules.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-242 of the general statutes, as amended by
2 public act 99-130, is repealed and the following is substituted in lieu
3 thereof:

4 (a) The Department of Social Services shall determine the rates to be
5 paid to home health care agencies and homemaker-home health aide
6 agencies by the state or any town in the state for persons aided or
7 cared for by the state or any such town. For the period from February
8 1, 1991, to January 31, 1992, inclusive, payment for each service to the
9 state shall be based upon the rate for such service as determined by the
10 Office of Health Care Access, except that for those providers whose
11 Medicaid rates for the year ending January 31, 1991, exceed the median
12 rate, no increase shall be allowed. For those providers whose rates for
13 the year ending January 31, 1991, are below the median rate, increases
14 shall not exceed the lower of the prior rate increased by the most
15 recent annual increase in the consumer price index for urban
16 consumers or the median rate. In no case shall any such rate exceed the

17 eightieth percentile of rates in effect January 31, 1991, nor shall any rate
18 exceed the charge to the general public for similar services. Rates
19 effective February 1, 1992, shall be based upon rates as determined by
20 the Office of Health Care Access, except that increases shall not exceed
21 the prior year's rate increased by the most recent annual increase in the
22 consumer price index for urban consumers and rates effective
23 February 1, 1992, shall remain in effect through June 30, 1993. Rates
24 effective July 1, 1993, shall be based upon rates as determined by the
25 Office of Health Care Access pursuant to the provisions of subsection
26 (b) of section 19a-635, except if the Medicaid rates for any service for
27 the period ending June 30, 1993, exceed the median rate for such
28 service, the increase effective July 1, 1993, shall not exceed one per
29 cent. If the Medicaid rate for any service for the period ending June 30,
30 1993, is below the median rate, the increase effective July 1, 1993, shall
31 not exceed the lower of the prior rate increased by one and one-half
32 times the most recent annual increase in the consumer price index for
33 urban consumers or the median rate plus one per cent. The
34 Commissioner of Social Services shall establish a fee schedule for home
35 health services to be effective on and after July 1, 1994. The
36 commissioner may annually increase any fee in the fee schedule based
37 on an increase in the cost of services. [The fee schedule may be phased
38 in over a two-year period during which no agency shall be paid for a
39 service in an amount which varies by more than ten per cent from the
40 payment made for the service in the preceding fiscal year.] The
41 commissioner shall increase the fee schedule for home health services
42 provided under the Connecticut home-care program for the elderly
43 established under section 17b-342, as amended, effective July 1, 2000,
44 by one per cent over the fee schedule for home health services for the
45 previous year. The commissioner may increase any fee payable to a
46 home health care agency or homemaker-home health aide agency
47 upon the application of such an agency evidencing extraordinary costs
48 related to (1) serving persons with AIDS; (2) high-risk maternal and
49 child health care; (3) escort services; or (4) extended hour services. In
50 no case shall any rate or fee exceed the charge to the general public for

51 similar services. A home health care agency or homemaker-home
52 health aide agency which, due to any material change in
53 circumstances, is aggrieved by a rate determined pursuant to this
54 subsection may, within ten days of receipt of written notice of such
55 rate from the Commissioner of Social Services, request in writing a
56 hearing on all items of aggrievement. The commissioner shall, upon
57 the receipt of all documentation necessary to evaluate the request,
58 determine whether there has been such a change in circumstances and
59 shall conduct a hearing if appropriate. The Commissioner of Social
60 Services shall adopt regulations, in accordance with chapter 54, to
61 implement the provisions of this subsection. The commissioner may
62 implement policies and procedures to carry out the provisions of this
63 subsection while in the process of adopting regulations, provided
64 notice of intent to adopt the regulations is published in the Connecticut
65 Law Journal within twenty days of implementing the policies and
66 procedures. Such policies and procedures shall be valid for not longer
67 than nine months.

68 (b) The Department of Social Services shall monitor the rates
69 charged by home health care agencies and homemaker-home health
70 aide agencies. Such agencies shall file annual cost reports and service
71 charge information with the department.

72 Sec. 2. Section 17b-343 of the general statutes is repealed and the
73 following is substituted in lieu thereof:

74 The Commissioner of Social Services shall establish annually the
75 maximum allowable rate to be paid by said agencies for homemaker
76 services, chore person services, companion services, respite care, meals
77 on wheels, adult day care services, case management and assessment
78 services, transportation, mental health counseling and elderly foster
79 care, except that the maximum allowable rates in effect July 1, 1990,
80 shall remain in effect during the fiscal years ending June 30, 1992, and
81 June 30, 1993. The Commissioner of Social Services shall prescribe
82 uniform forms on which agencies providing such services shall report

83 their costs for such services. Such rates shall be determined on the
84 basis of a reasonable payment for necessary services rendered. The
85 maximum allowable rates established by the Commissioner of Social
86 Services for the Connecticut home-care program for the elderly
87 established under section 17b-342, as amended, shall constitute the
88 rates required under this section until revised in accordance with this
89 section. The Commissioner of Social Services shall establish a fee
90 schedule, to be effective on and after July 1, 1994, for homemaker
91 services, chore person services, companion services, respite care, meals
92 on wheels, adult day care services, case management and assessment
93 services, transportation, mental health counseling and elderly foster
94 care. The commissioner shall increase the fee schedule effective July 1,
95 2000 by one per cent over the fee schedule for the previous year and
96 thereafter may annually increase any fee in the fee schedule based on
97 an increase in the cost of services. Nothing contained in this section
98 shall authorize a payment by the state to any agency for such services
99 in excess of the amount charged by such agency for such services to
100 the general public.

101 Sec. 3. This act shall take effect July 1, 2000.

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]