



General Assembly

Substitute Bill No. 6275

January Session, 2005

* HB06275GAE 051105 *

AN ACT CONCERNING THE ACCEPTANCE OF ELECTRONIC SIGNATURES BY THE COMMISSIONER OF SOCIAL SERVICES.

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

1 Section 1. Section 17b-242 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) The Department of Social Services shall determine the rates to be
4 paid to home health care agencies and homemaker-home health aide
5 agencies by the state or any town in the state for persons aided or
6 cared for by the state or any such town. For the period from February
7 1, 1991, to January 31, 1992, inclusive, payment for each service to the
8 state shall be based upon the rate for such service as determined by the
9 Office of Health Care Access, except that for those providers whose
10 Medicaid rates for the year ending January 31, 1991, exceed the median
11 rate, no increase shall be allowed. For those providers whose rates for
12 the year ending January 31, 1991, are below the median rate, increases
13 shall not exceed the lower of the prior rate increased by the most
14 recent annual increase in the consumer price index for urban
15 consumers or the median rate. In no case shall any such rate exceed the
16 eightieth percentile of rates in effect January 31, 1991, nor shall any rate
17 exceed the charge to the general public for similar services. Rates
18 effective February 1, 1992, shall be based upon rates as determined by
19 the Office of Health Care Access, except that increases shall not exceed

20 the prior year's rate increased by the most recent annual increase in the
21 consumer price index for urban consumers and rates effective
22 February 1, 1992, shall remain in effect through June 30, 1993. Rates
23 effective July 1, 1993, shall be based upon rates as determined by the
24 Office of Health Care Access except if the Medicaid rates for any
25 service for the period ending June 30, 1993, exceed the median rate for
26 such service, the increase effective July 1, 1993, shall not exceed one
27 per cent. If the Medicaid rate for any service for the period ending June
28 30, 1993, is below the median rate, the increase effective July 1, 1993,
29 shall not exceed the lower of the prior rate increased by one and one-
30 half times the most recent annual increase in the consumer price index
31 for urban consumers or the median rate plus one per cent. The
32 Commissioner of Social Services shall establish a fee schedule for home
33 health services to be effective on and after July 1, 1994. The
34 commissioner may annually increase any fee in the fee schedule based
35 on an increase in the cost of services. The commissioner shall increase
36 the fee schedule for home health services provided under the
37 Connecticut home-care program for the elderly established under
38 section 17b-342, effective July 1, 2000, by two per cent over the fee
39 schedule for home health services for the previous year. The
40 commissioner may increase any fee payable to a home health care
41 agency or homemaker-home health aide agency upon the application
42 of such an agency evidencing extraordinary costs related to (1) serving
43 persons with AIDS; (2) high-risk maternal and child health care; (3)
44 escort services; or (4) extended hour services. In no case shall any rate
45 or fee exceed the charge to the general public for similar services. A
46 home health care agency or homemaker-home health aide agency
47 which, due to any material change in circumstances, is aggrieved by a
48 rate determined pursuant to this subsection may, within ten days of
49 receipt of written notice of such rate from the Commissioner of Social
50 Services, request in writing a hearing on all items of aggrievement. The
51 commissioner shall, upon the receipt of all documentation necessary to
52 evaluate the request, determine whether there has been such a change
53 in circumstances and shall conduct a hearing if appropriate. The
54 Commissioner of Social Services shall adopt regulations, in accordance

55 with chapter 54, to implement the provisions of this subsection. The
56 commissioner may implement policies and procedures to carry out the
57 provisions of this subsection while in the process of adopting
58 regulations, provided notice of intent to adopt the regulations is
59 published in the Connecticut Law Journal within twenty days of
60 implementing the policies and procedures. Such policies and
61 procedures shall be valid for not longer than nine months.

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

66 (c) The home health services fee schedule shall include a fee for the
67 administration of medication, which shall apply when the purpose of a
68 nurse's visit is limited to the administration of medication.
69 Administration of medication may include, but is not limited to, blood
70 pressure checks, glucometer readings, pulse rate checks and similar
71 indicators of health status. The fee for medication administration shall
72 include administration of medications while the nurse is present, the
73 pre-pouring of additional doses that the client will self-administer at a
74 later time and the teaching of self-administration. The department
75 shall not pay for medication administration in addition to any other
76 nursing service at the same visit. The department may establish prior
77 authorization requirements for this service. Before implementing such
78 change, the Commissioner of Social Services shall consult with the
79 chairpersons of the joint standing committees of the General Assembly
80 having cognizance of matters relating to public health and human
81 services.

82 (d) The home health services fee schedule established pursuant to
83 subsection (c) of this section shall include rates for psychiatric nurse
84 visits.

85 (e) The Department of Social Services, when processing or auditing
86 claims for reimbursement submitted by home health care agencies and

