



General Assembly

January Session, 2023

Committee Bill No. 412

LCO No. 3860



Referred to Committee on HUMAN SERVICES

Introduced by:

(HS)

AN ACT INCREASING MEDICAID RATES FOR COMPLEX CARE NURSING SERVICES.

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

1 Section 1. (NEW) (*Effective July 1, 2023*) As used in this section,
2 "complex care nursing services" means intensive, specialized nursing
3 services provided to a patient with complex care needs who requires
4 skilled nursing care at home. The Commissioner of Social Services shall
5 amend the Medicaid state plan to (1) increase rates of Medicaid
6 reimbursement for complex care nursing services provided to a
7 Medicaid beneficiary in such beneficiary's home to a level
8 commensurate with Medicaid rates of reimbursement for such nursing
9 services provided in skilled nursing facilities, and (2) eliminate any
10 differential in rates of Medicaid reimbursement for such nursing
11 services based on the age of the patient.

12 Sec. 2. Subsection (a) of section 17b-242 of the general statutes is
13 repealed and the following is substituted in lieu thereof (*Effective July 1,*
14 *2023*):

15 (a) The Department of Social Services shall determine the rates to be

16 paid to home health care agencies and home health aide agencies by the
17 state or any town in the state for persons aided or cared for by the state
18 or any such town. The Commissioner of Social Services shall establish a
19 fee schedule for home health services to be effective on and after July 1,
20 1994. The commissioner may annually modify such fee schedule if such
21 modification is needed to ensure that the conversion to an
22 administrative services organization is cost neutral to home health care
23 agencies and home health aide agencies in the aggregate and ensures
24 patient access. Utilization may be a factor in determining cost neutrality.
25 The commissioner shall increase the fee schedule for home health
26 services provided under the Connecticut home-care program for the
27 elderly established under section 17b-342, effective July 1, 2000, by two
28 per cent over the fee schedule for home health services for the previous
29 year. The commissioner shall (1) increase the fee schedule for complex
30 care nursing services, as defined in section 1 of this act, effective July 1,
31 2023, to a level commensurate with rates of reimbursement for such
32 services provided in skilled nursing facilities, and (2) eliminate any
33 differential in fees paid for such services based on the age of the patient.
34 The commissioner may increase any fee payable to a home health care
35 agency or home health aide agency upon the application of such an
36 agency evidencing extraordinary costs related to [(1)] (A) serving
37 persons with AIDS; [(2)] (B) high-risk maternal and child health care;
38 [(3)] (C) escort services; or [(4)] (D) extended hour services. In no case
39 shall any rate or fee exceed the charge to the general public for similar
40 services. A home health care agency or home health aide agency which,
41 due to any material change in circumstances, is aggrieved by a rate
42 determined pursuant to this subsection may, within ten days of receipt
43 of written notice of such rate from the Commissioner of Social Services,
44 request in writing a hearing on all items of aggrievement. The
45 commissioner shall, upon the receipt of all documentation necessary to
46 evaluate the request, determine whether there has been such a change
47 in circumstances and shall conduct a hearing if appropriate. The
48 Commissioner of Social Services shall adopt regulations, in accordance
49 with chapter 54, to implement the provisions of this subsection. The

50 commissioner may implement policies and procedures to carry out the
51 provisions of this subsection while in the process of adopting
52 regulations, provided notice of intent to adopt the regulations is
53 published in the Connecticut Law Journal not later than twenty days
54 after the date of implementing the policies and procedures. Such
55 policies and procedures shall be valid for not longer than nine months.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	New section
Sec. 2	<i>July 1, 2023</i>	17b-242(a)

Statement of Purpose:

To increase Medicaid reimbursement rates for complex care nursing services provided in the homes of Medicaid beneficiaries and eliminate differentials in rates based on the age of a patient.

[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.]

Co-Sponsors: SEN. BERTHEL, 32nd Dist.

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