



General Assembly

Substitute Bill No. 412

January Session, 2023



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. Subsection (a) of section 17b-242 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2024*):

4 (a) The Department of Social Services shall determine the rates to be
5 paid to home health care agencies and home health aide agencies by
6 the state or any town in the state for persons aided or cared for by the
7 state or any such town. The Commissioner of Social Services shall
8 establish a fee schedule for home health services to be effective on and
9 after July 1, 1994. The commissioner may annually modify such fee
10 schedule if such modification is needed to ensure that the conversion
11 to an administrative services organization is cost neutral to home
12 health care agencies and home health aide agencies in the aggregate
13 and ensures patient access. Utilization may be a factor in determining
14 cost neutrality. The commissioner shall increase the fee schedule for
15 home health services provided under the Connecticut home-care
16 program for the elderly established under section 17b-342, effective
17 July 1, 2000, by two per cent over the fee schedule for home health
18 services for the previous year. On and after January 1, 2024, the
19 commissioner shall increase the fee schedule for complex care nursing

20 services provided to patients over the age of eighteen such that the rate
21 of reimbursement is equal to the rate for such services provided to
22 patients age eighteen and under. There shall be no differential in fees
23 paid for such services based on the age of the patient. The
24 commissioner may increase any fee payable to a home health care
25 agency or home health aide agency upon the application of such an
26 agency evidencing extraordinary costs related to (1) serving persons
27 with AIDS; (2) high-risk maternal and child health care; (3) escort
28 services; or (4) extended hour services. In no case shall any rate or fee
29 exceed the charge to the general public for similar services. A home
30 health care agency or home health aide agency which, due to any
31 material change in circumstances, is aggrieved by a rate determined
32 pursuant to this subsection may, within ten days of receipt of written
33 notice of such rate from the Commissioner of Social Services, request
34 in writing a hearing on all items of aggrievement. The commissioner
35 shall, upon the receipt of all documentation necessary to evaluate the
36 request, determine whether there has been such a change in
37 circumstances and shall conduct a hearing if appropriate. The
38 Commissioner of Social Services shall adopt regulations, in accordance
39 with chapter 54, to implement the provisions of this subsection. The
40 commissioner may implement policies and procedures to carry out the
41 provisions of this subsection while in the process of adopting
42 regulations, provided notice of intent to adopt the regulations is
43 [published in the Connecticut Law Journal] posted on the eRegulations
44 System not later than twenty days after the date of implementing the
45 policies and procedures. Such policies and procedures shall be valid
46 for not longer than nine months. For purposes of this subsection,
47 "complex care nursing services" means intensive, specialized nursing
48 services provided to a patient with complex care needs who requires
49 skilled nursing care at home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2024	17b-242(a)

