



General Assembly

February Session, 2020

**Raised Bill No. 5446**

LCO No. 2211



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

**AN ACT CONCERNING MEDICAID COVERAGE OF IN-HOME  
COUNSELING AND SUPPORT PROVIDED BY A HOME HEALTH  
CARE AGENCY.**

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 2020 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2020*):

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 the  
6 state or any town in the state for persons aided or cared for by the state  
7 or any such town. [For the period from February 1, 1991, to January 31,  
8 1992, inclusive, payment for each service to the state shall be based upon  
9 the rate for such service as determined by the Office of Health Care  
10 Access, except that for those providers whose Medicaid rates for the  
11 year ending January 31, 1991, exceed the median rate, no increase shall  
12 be allowed. For those providers whose rates for the year ending January  
13 31, 1991, are below the median rate, increases shall not exceed the lower  
14 of the prior rate increased by the most recent annual increase in the

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

50 home counseling, assessment and support services provided by a social  
51 worker licensed pursuant to chapter 383b who is employed by a home  
52 health care agency. A home health care agency or home health aide  
53 agency which, due to any material change in circumstances, is aggrieved  
54 by a rate determined pursuant to this subsection may, within ten days  
55 of receipt of written notice of such rate from the Commissioner of Social  
56 Services, request in writing a hearing on all items of aggrievement. The  
57 commissioner shall, upon the receipt of all documentation necessary to  
58 evaluate the request, determine whether there has been such a change  
59 in circumstances and shall conduct a hearing if appropriate. The  
60 Commissioner of Social Services shall adopt regulations, in accordance  
61 with chapter 54, to implement the provisions of this subsection. The  
62 commissioner may implement policies and procedures to carry out the  
63 provisions of this subsection while in the process of adopting  
64 regulations, provided notice of intent to adopt the regulations is  
65 [published in the Connecticut Law Journal] posted on the eRegulations  
66 System not later than twenty days after the date of implementing the  
67 policies and procedures. Such policies and procedures shall be valid for  
68 not longer than nine months.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2020	17b-242(a)

**Statement of Purpose:**

To provide Medicaid reimbursement for in-home counseling, assessment and support services provided to a Medicaid recipient by a social worker employed by a home health care agency.

*[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.]*