

**STATE OF RHODE ISLAND  
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES**

**11/17/2015 PUBLIC NOTICE OF PROPOSED AMENDMENT TO RHODE ISLAND  
MEDICAID STATE PLAN**

In accordance Rhode Island General Laws 42-35, notice is hereby given that the Executive Office of Health and Human Services (EOHHS) proposes to make the following amendment to the Rhode Island State Plan under Title XIX of the Social Security Act:

**Reinventing Medicaid 2015:  
Adult Medical Day Care Services**

As part of Governor Gina Raimondo's effort to reform Medicaid, the Working Group to Reinvent Medicaid issued an April report that recommended numerous initiatives to achieve financial savings in State Fiscal Year (SFY) 2016. The Governor introduced those recommendations in a budget article entitled, "The Reinventing Medicaid Act of 2015." The Rhode Island General Assembly passed the Reinventing Medicaid Act in June.

As a result of the Act's passage, EOHHS is seeking federal authority to implement several changes to the Medicaid program. This state plan amendment will implement a clinical authorization process and institute an acuity-based rate structure for Adult Day Care. This change will yield an estimated \$1 million in savings.

This proposed amendment is accessible on the EOHHS website ([www.eohhs.ri.gov](http://www.eohhs.ri.gov)) or available in hard copy upon request (401-462-1965 or RI Relay, dial 711). Interested persons should submit data, views, or written comments by December 18, 2015 to Darren J. McDonald, Executive Office of Health and Human Services, Hazard Building, 74 West Road, Cranston, RI, 02920, or [darren.mcdonald@ohhs.ri.gov](mailto:darren.mcdonald@ohhs.ri.gov).

In accordance with the Rhode Island General Laws 42-35-3, an oral hearing will be granted on the proposed State Plan Amendment if requested by twenty-five (25) persons, an agency, or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

The Executive Office of Health and Human Services does not discriminate against individuals based on race, color, national origin, sex, gender identity or expression, sexual orientation, religious belief, political belief, or handicap in acceptance for or provision of services or employment in its programs or activities.

13D. Rehabilitative Services (cont.)

**Adult Medical Day Care Services**

Definition:

Adult Medical Day Care Services -- a daytime community-based program for adults that provide a variety of social, recreational, health, nutrition, and related support services in a protective setting. These may include a range of more intensive or specialized services such as medication administration, limited skilled nursing, and/or personal care for beneficiaries with higher-level acuity needs..

Clinical Criteria:

To qualify for Adult Day Care services, a Rhode Island Medicaid member must meet all of the following criteria:

- a. Have a medical or mental dysfunction that involves one or more physiological systems and indicates a need for nursing care, supervision, therapeutic services, support services, and/or socialization.
- b. Require services in a structured Adult Day Care setting;
- c. Have a personal physician;
- d. Require a health assessment, oversight and monitoring or services provided by a licensed nurse; and meet the Preventive Level of Care as defined in the 1115 Waiver Renewal Attachment D- Level of Care Criteria.

Qualified Providers:

Services are provided by Adult Day Centers with which the Executive Office of Health and Human Services or the Department of Behavioral Health, Developmental Disabilities, and Hospitals have provider agreements.

**Traumatic Brain Injury Services**

Definition:

Traumatic Brain Injury services refer to rehabilitative residential treatment provided to individuals who had a severe brain injury who are unable to live in the community due to severe behavioral and/or cognitive dysfunction as the result of the brain injury, and for whom no other appropriate placement within Rhode Island is available. Room and board is not covered as part of these services.

Rehabilitative residential treatment is provided in a 24-hour therapeutic residential program that offers group and individual treatment. This treatment includes, but is not limited to, training and reinforcement of Activities of Daily Living, medication management, training, and therapies as warranted by the individual plan of care.

Provider Qualifications:

Residential treatment facilities must be licensed as a Residential Treatment Facility; have accreditation by the Joint Commission on Accreditation of Healthcare Organizations; and current accreditation by the Commission on Accreditation of Rehabilitation Facilities.

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Rehabilitative Services (cont.)**Adult Medical Day Care Services**Payment Methodology:

Services are reimbursed based upon acuity. The 2 levels of services are Basic and Enhanced:

Basic Level of Services

- Provision by the Adult Day Care Provider of an organized program of supervision, health promotion, and health prevention services that include the availability of nursing services and health oversight, nutritional dietary services, counseling, therapeutic activities, and case management.

Enhanced Level of Services

- Provision of services by the Adult Day Care Provider when the participant meets at least one of the five (5) requirements outlined in Enhanced Level of Service in the ADC 1.3 Service Levels.

The State Medicaid agency will have a contract with each entity receiving payment under this service that will require that the entity furnish to the Medicaid agency on an annual basis the following:

- data, by practitioner, on the utilization by Medicaid beneficiaries of the services included in the unit rate and;
- cost information by practitioner type and by type of service actually delivered within the service unit.

Future rate updates will be based on information obtained from the providers.

Rate Increases

The State does not increase rates based on a set inflation factor on a pre-determined basis.

Date of Effective Rates:

The agency rates were set as of January 1, 2008 and are effective for services on or after that date.

**Traumatic Brain Injury Services**Payment Methodology

The rate is structured to capture all of the staff costs associated with providing the basic, routine day-to-day rehabilitative care uniformly provided to all residents that either takes place in the program, or is provided by staff of the program.

Payment is on a per diem basis.

Payment does not include room and board.

The State Medicaid agency will have a contract with each entity receiving payment under this service that will require that the entity furnish to the Medicaid agency on an annual basis the following:

- data, by practitioner, on the utilization by Medicaid beneficiaries of the services included in the unit rate and;
- cost information by practitioner type and by type of service actually delivered within the service unit.

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