

1 H.189

2 Introduced by Representatives Noyes of Wolcott and Wood of Waterbury

3 Referred to Committee on

4 Date:

5 Subject: Human services; Medicaid; home- and community-based services

6 Statement of purpose of bill as introduced: This bill proposes to require annual
7 inflationary increases to Medicaid reimbursement rates for home- and
8 community-based service providers.

9 An act relating to increasing Medicaid rates for home- and community-
10 based service providers

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 33 V.S.A. § 900 is amended to read:

13 § 900. DEFINITIONS

14 ~~Unless otherwise required by the context, the words and phrases in this~~
15 ~~chapter shall be defined as follows~~ As used in this chapter:

16 * * *

17 (7) “Home- and community-based services” means long-term services
18 and supports received in a home or community setting other than a nursing
19 home pursuant to the Choices for Care component of Vermont’s Global
20 Commitment to Health Section 1115 Medicaid demonstration.

1 Sec. 2. 33 V.S.A. § 904 is amended to read:

2 § 904. RATE SETTING

3 (a) The Director shall establish by rule procedures for determining payment
4 rates for care of State-assisted persons to nursing homes and to such other
5 providers as the Secretary shall direct, as well as for inflationary rate increases
6 to providers of home- and community-based services. The Secretary shall
7 have the authority to establish rates that the Secretary deems sufficient to
8 ensure that the quality standards prescribed by section 7117 of this title are
9 maintained, subject to the provisions of section 906 of this title. Beginning in
10 State fiscal year 2003, the Medicaid budget for care of State-assisted persons in
11 nursing homes shall employ an annual inflation factor ~~which~~ that is reasonable
12 and ~~which~~ that adequately reflects economic conditions, in accordance with the
13 provisions of Section 5.8 of the ~~regulations promulgated~~ rules adopted by the
14 Division of Rate Setting (“Methods, Standards, and Principles for Establishing
15 Medicaid Payment Rates for Long-Term Care Facilities”).

16 (b) No payment shall be made to any nursing home, on account of any
17 State-assisted person, unless the nursing home is certified to participate in the
18 State/federal medical assistance program and has in effect a provider
19 agreement.

1 Sec. 3. 33 V.S.A. § 911 is added to read:

2 § 911. INFLATION FACTOR FOR HOME- AND COMMUNITY-BASED
3 SERVICES

4 The rates for providers of home- and community-based services authorized
5 by the Department of Vermont Health Access or the Department of
6 Disabilities, Aging, and Independent Living, or both, to provide home-based,
7 community-based, or home- and community-based services to individuals
8 receiving services pursuant to the Choices for Care component of Vermont's
9 Global Commitment to Health Section 1115 Medicaid demonstration shall be
10 increased by an annual inflation factor. The Division shall calculate the
11 inflation factor for home- and community-based services annually according to
12 the procedure adopted by rule and shall report it to the Departments for
13 application to home- and community-based provider Medicaid reimbursement
14 rates beginning on July 1.

15 Sec. 4. EFFECTIVE DATE

16 This act shall take effect on passage and shall apply to home- and
17 community-based service provider rates beginning on July 1, 2020.