

PUBLIC NOTICE

Pursuant to 42 C.F.R. § 447.205, the Oklahoma Health Care Authority (OHCA) is required to give public notice of any significant proposed change in methods and standards for setting payment rates for services in the SoonerCare program. The OHCA is proposing changes in reimbursement to long-term care facilities due to increases to the Quality of Care fees for regular nursing facilities and nursing facilities serving residents with Acquired Immune Deficiency Syndrome (AIDS). This notice also serves to announce the new state fiscal year (SFY) 2020 Miller Trust monthly income eligibility requirements. As a result of the annual long-term care facilities rate recalculation, the Miller Trust eligibility amount, effective July 1, 2019, will increase from \$4,585 to \$4,607 per month. Further, OHCA is establishing a rate methodology for Applied Behavioral Analysis (ABA) services. Additional proposals in payment methods and standards include the Department of Human Services' (DHS) request to increase the rate of the Qualified Behavioral Health Aide (QBHA)/Treatment Parent Specialist (TPS) within Therapeutic Foster Care (TFC) and for certain Developmental Disabilities Services (DDS) waiver services, ADvantage waiver services, and state plan personal care services. The proposed changes were presented at two public meetings: the State Plan Amendment Rate Committee (SPARC) held on June 20, 2019, at 10:00 A.M. and the OHCA Board meeting held on June 25, 2019, at 1:00 P.M. Both meetings were held at the OHCA offices located at 4345 N. Lincoln Blvd., OKC, OK 73105 in the OHCA Board Room.

Nursing Facilities Rate Changes, Title XIX State Plan Amendment, Effective date: July 1, 2019, contingent upon CMS approval. The changes below are due to the required annual recalculation of the Quality of Care (QOC) fee and/or Direct Care Allocation mandated in the Oklahoma Medicaid State Plan.

Regular Nursing Facilities

The Quality of Care fee for REGULAR NURSING FACILITIES will be \$11.81 per patient day and the base rate component will be \$108.31 per patient day. Additionally, the pool amount for the "Direct Care" and "Other" components will be \$186,146,037 to account for the Quality of Care (QOC) fee increase and the reallocation of the direct care cost component per the State Plan. The estimated budget impact for SFY 2020 will be an increase in the total amount of \$3,391,494; with \$1,183,292 state share.

Nursing Facilities Serving Residents with Acquired Immune Deficiency Syndrome (AIDS)

The Quality of Care fee for NURSING FACILITIES SERVING RESIDENTS with AIDS will be \$11.81 per patient day and the AIDS rate will be \$209.50 per patient day. The estimated budget impact for SFY 2020 will be an increase in the total amount of \$7,299; with \$2,546 state share.

Applied Behavioral Analysis (ABA), Effective: July 1, 2019, contingent upon CMS approval.

The OHCA is establishing coverage and reimbursement for ABA services as an Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) program benefit. The proposal will define provider participation and credentialing requirements, medical necessity criteria, coverage and service limitation guidelines, and reimbursement methodology. The Centers for Medicare & Medicaid Services (CMS), or their intermediary, prices the procedure codes that will be utilized by the OHCA as follows:

- Procedure code 97151: \$23.55/15 minute unit
- Procedure code 97153: \$17.35/15 minute unit
- Procedure code 97155: \$23.55/15 minute unit
- Procedure code 97156: \$23.55/15 minute unit

Reimbursement for ABA will follow the Agency's existing rate methodology that is used for physician services which are updated annually, per the current State Plan. The estimated budget impact for state fiscal year (SFY) 2020 and SFY21 will be an increase in the total amount of \$11,455,015; with \$3,996,655 in state share for SFY20 and \$3,788,173 in state share for SFY21.

Oklahoma Department of Human Services (DHS) Therapeutic Foster Care (TFC), Effective date: July 1, 2019, contingent upon CMS approval.

The Oklahoma Department of Human Services (DHS) seeks to increase the established rate for the Qualified Behavioral Health Aide (QBHA)/Treatment Parent Specialist (TPS) who provides services to children in TFC. The QBHA/TPS serves as an integral member of the TFC team who provides high levels of care for the child, participates in the development and implementation of interventions, transports the child to therapy, documents interventions, and helps the child practice learned skills. The Oklahoma DHS requests a rate change for the QBHA/TPS rate from \$7.77 per 15 minute unit to \$9.81 per 15 minute unit with a maximum of 6 units per day in an effort to recruit providers and increase access to services for eligible children, as medically necessary. The estimated total cost for SFY2020 and SFY2021 is \$625,464, with a SFY2020 state match of \$218,225 and a SFY2021 state match of \$206,841. The state share will be paid by Oklahoma DHS with the current TFC budget.

Oklahoma Department of Human Services (DHS) Rate Increases, Effective date: October 1, 2019 or upon CMS approval.

Developmental Disabilities Services (DDS) Waiver Increase

The First Regular Session of the Fifty Seventh Oklahoma Legislature mandated a four percent (4%) rate increase on fixed and uniform rates for the Homeward Bound Waiver, Community Based Waiver, In-Home Supports Waiver for adults, and the In-Home Supports Waiver for children. This proposal will increase the rate paid for other waiver services which include: adult day care; habilitation training specialist and intensive personal supports; daily living supports; respite; homemaker; employment specialist; agency companion; transportation; nursing extended duty and intermittent skilled; skilled nursing; specialized foster care; group home and community living; family counseling; occupational therapy; physical therapy; psychiatry; psychological; and speech/language. The rate increase will stabilize existing programs enabling agencies to provide salaries comparable to similar type service salaries. The estimated SFY2020 annual budget impact is an increase in the total amount of \$9,863,029, with \$3,351,457 in state share; and an increase for the SFY2021 budget in the total amount of \$13,150,705, with \$4,607,221 in state share. The Oklahoma Department of Human Services attests that it has adequate funds to cover the state share of the projected cost of services.

ADvantage and State Plan Personal Care Rate Increase

The First Regular Session of the Fifty Seventh Oklahoma Legislature mandated a four percent (4%) rate increase for ADvantage and State Plan personal care direct care services, and ADvantage case management, adult day health, and assisted living services. Additionally, ADvantage skilled nursing and therapy services rates will also be increased by 4% to be in keeping with these same services provided through DHS Developmental Disabilities Services (DDS) waivers who often share the same provider pool. The proposal will also include a legislatively mandated minimum authorization of 200 case management units for every new ADvantage member for the initial service plan year. The estimated SFY 2020 budget impact for State Plan personal care services is an increase in the total amount of \$185,081, with \$62,891 in state share. The estimated SFY2021 budget impact is an increase in the total amount of \$246,775 total dollars, with \$80,843 in state share. The estimated SFY 2020 annual budget impact for the ADvantage Waiver is an increase in the total amount of \$4,479,449, with \$1,522,117 in state share; and an SFY2021 increase in the total amount of \$5,972,599 total dollars, with \$1,956,623 in state share.

Persons wishing to present their views in writing or obtain copies of the proposed changes may do so at the following address: Federal Authorities Unit, Oklahoma Health Care Authority, 4345 N. Lincoln Blvd., Oklahoma City, Oklahoma, 73105, or by email at federal.authorities@okhca.org. Copies of the proposed changes are available for public review at the OHCA by contacting the email above. Written and oral comments will be accepted during regular business hours by contacting the OHCA as indicated. Comments submitted will be available for review by the public Monday – Friday, 9:00 AM to 4:30 PM, at OHCA located at the above address or online at www.okhca.org/proposedchanges. The proposed changes may also be viewed and receive written comments on the agency's website at www.okhca.org/proposedchanges.