

# **Open for Public Comment: Proposed Department-Established Fees and Fee Schedule Rates for Services Funded Through ODP's Waivers and Base-funding**

## **ODP Announcement 21-095**

### **AUDIENCE:**

All interested parties

### **PURPOSE:**

The purpose of this communication is to announce that the following information is available for public review and comment:

- Proposed Fee Schedule Rates for services funded through the Consolidated, Community Living, Person/Family Directed Support (P/FDS) and Adult Autism Waivers and Base-funded programs
- Proposed Department-Established Fees for residential ineligible services
- Rate setting methodology and rate assumption logs used to develop the rates listed above
- Proposed amendments to the Community Living and P/FDS Waivers to increase the limits on the maximum dollar amount of Waiver services in Appendix C-4

**There is a 30-day public comment period that begins on January 1, 2022 and ends on January 31, 2022.**

## DISCUSSION:

The Office of Developmental Programs (ODP) is seeking your valuable feedback and comments on the proposed Fee Schedule Rates for services funded through the Consolidated, Community Living, P/FDS, and Adult Autism Waivers and Base-funded program, residential ineligible services, and the accompanying rate assumption logs.

Pursuant to 55 Pa. Code § 6100.571 (relating to fee schedule rates), which was effective October 5, 2019, the Department is required to update the data used in establishing the fee schedule rates at least every 3 years. The Department has reviewed and revised its rates for services funded through the Consolidated, Community Living, P/FDS and Adult Autism Waivers and the Base-funded program to comply with this requirement.

The effective dates for the proposed rates are as follows:

- **July 1, 2021:** Fee Schedule Rates and Department-Established Fees for the Adult Autism Waiver.
- **January 1, 2022:** Fee Schedule Rates for the Consolidated, Community Living and P/FDS Waivers and Base-funded program.
  - **Six months after the federal COVID-19 public health emergency expires:** Fee Schedule Rates for direct Community Participation Support services. The temporary increases to the Fee Schedule Rates for direct Community Participation Support will remain in effect until six months after the expiration of the federal COVID-19 public health emergency.
- **July 1, 2022:** Department-Established Fees for residential ineligible services funded through the Consolidated and Community Living Waivers.

The proposed Fee Schedule Rates, Department-Established Fees, and assumption logs used to develop the rates for the Adult Autism Waiver are available at:

- <https://www.dhs.pa.gov/Services/Disabilities-Aging/Pages/Adult-Autism-Waiver-Renewal.aspx>.

The proposed Fee Schedule Rates, Department-Established Fees, and assumption logs used to develop the rates for the Consolidated, Community Living, and P/FDS Waivers and Base-funded program are available at:

- <https://www.dhs.pa.gov/providers/Providers/Pages/2022-Proposed-Rates-for-Consolidated-Community-Living-PFDS-Waivers.aspx>.

ODP does not anticipate making any changes to the effective dates of the proposed rates. Once the public comment period ends and the Department of Human Services (DHS) has reviewed the comments, final Fee Schedule Rates with retroactive effective dates, will be loaded into HCSIS. Providers should continue to bill the current rates at this time. Gross adjustments for any units billed between July 1, 2021 for the Adult Autism Waiver and January 1, 2022 for the Consolidated, Community Living and P/FDS Waivers and the date that rates are loaded in HCSIS will be reconciled through a gross adjustment. Base-funded services will not be reconciled through a gross adjustment. ODP will release additional guidance about any other applicable activities that need to be completed when rates are loaded into HCSIS.

#### Proposed Amendments to the Community Living and P/FDS Waivers

ODP also proposes to increase the limits on the maximum dollar amount of Waiver services in Appendix C-4 as follows effective January 1, 2022:

- The current limit of \$70,000 per person per fiscal year for Community Living Waiver services will be increased to \$85,000. Supports Coordination services will continue to be excluded from this limit.
- The current limit of \$33,000 per person per fiscal year for P/FDS Waiver services will be increased to \$41,000. Supports Coordination and Supports Broker services will continue to be excluded from this limit. The limit can continue to be exceeded by \$15,000 for Advanced Supported Employment or Supported Employment services.

The proposed increases will ensure that the proposed changes to the Fee Schedule Rates do not result in a reduction or loss of Waiver services for individuals.

A public notice regarding the proposed rates for the Consolidated, Community Living, and P/FDS Waivers and Base-funded program, Department-Established Fees, and proposed amendments for the Community Living and P/FDS Waivers can be found in the Pennsylvania Bulletin, Volume 52, Number 1, published on Saturday, January 1, 2022 at:

- <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/d/ata/vol52/52-1/25.html>.

A public notice regarding the proposed rates for the Adult Autism Waiver and Department-Established Fees can be found in the Pennsylvania Bulletin, Volume 52, Number 1, published on Saturday, January 1, 2022 at:

- <https://www.pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/d/ata/vol52/52-1/24.html>.

Public Comment

**Comments received by 11:59pm on January 31, 2022 will be reviewed and considered for revisions.**

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania Relay Service by dialing 7-1-1 or by using one of the toll-free numbers:

(800) 654-5984 (TDD users)

(800) 654-5988 (voice users)

(844)-308-9292 (Speech-to-Speech) or

(844)-308-9291 (Spanish)

*Consolidated, Community Living and P/FDS Waivers*

Interested persons are invited to submit written comments regarding the proposed rates and waiver amendments. Comments should be addressed to Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments may also be submitted to the Department at [ra-ratesetting@pa.gov](mailto:ra-ratesetting@pa.gov) using subject header "Proposed ID/A Rates".

Copies of the documents referenced in this communication may be obtained by contacting the following address or email:

Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

[ra-ratesetting@pa.gov](mailto:ra-ratesetting@pa.gov)

*Adult Autism Waiver*

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed Fee Schedule Rates and Department-Established Fees. Written comments should be addressed to Laura Cipriani, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at [RA-odpcomment@pa.gov](mailto:RA-odpcomment@pa.gov) using subject header "AAW Rates."

Copies of the documents referenced in this communication may be obtained by contacting the Bureau of Supports for Autism and Special Populations at the following address or email:

P.O. Box 2675, Harrisburg, PA 17105

[RA-odpautismwaiver@pa.gov](mailto:RA-odpautismwaiver@pa.gov)

**CONTACT:**

Questions about this communication should be directed to [ra-ratesetting@pa.gov](mailto:ra-ratesetting@pa.gov).