



Department of Health

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TO: Medicaid Managed Care Plans and HIV Special Needs Plans (MMCPs), and Children’s Home and Community Based Services (HCBS) Providers

RE: Changes Regarding Rates for Children’s Services

Date: December 15, 2021

This notice is to announce anticipated Children’s Home and Community Based Services (HCBS) rate adjustments during the COVID-19 Emergency as part of the American Rescue Plan Act of 2021 (ARPA), Section 9817, and assist impacted entities to plan for receipt of these funds. The NYS HCBS Spending Plan proposed to the Centers for Medicare and Medicaid Services (CMS) has been partially approved. A copy of the NYS HCBS Spending Plan, Quarterly Updates to the Spending Plan, and other pertinent information regarding ARPA, Section 9817 may be found at the following website:

https://health.ny.gov/health_care/medicaid/redesign/hcbs/enhanced_funding/

This announcement is to notify Medicaid Managed Care Plans and HIV Special Needs Plans (MMCPs), and Children’s Home and Community Based Services (HCBS) Providers, that rates for Children’s HCBS are anticipated to be increased by 25 percent retroactive to April 1, 2021 through September 30, 2022 for services provided to members in Medicaid Fee-for-Service or Medicaid Managed Care.

Upon final approval by CMS and eMedNY system updates, Medicaid FFS payment to HCBS providers and non-risk payments to MMCPs will be retroactively adjusted for previously paid claims for services rendered with a service date on or after April 1, 2021.

Dates of Service for which the Rate Adjustments and Base Rates Apply

| Program | Previous Adjustments | 4/1/2021-9/30/2021 | 10/1/2021-3/31/2022 | 4/1/2022-9/30/2022 | 10/1/2022 and beyond | Links to Rates |
|--|----------------------|---------------------|---------------------|---------------------|----------------------|----------------------|
| <i>Approved by CMS</i> | | | | | | |
| Home and Community-Based Services (HCBS) | N/A | 25% rate adjustment | 25% rate adjustment | 25% rate adjustment | Base Rates | HCBS |

HCBS Rates

The purpose of these anticipated rate adjustments is to assist providers in building capacity to meet increased demand for HCBS services due to the pandemic. Children’s HCBS, including Community Habilitation, Day Habilitation, Caregiver/Family Supports and Services, Respite, Prevocational Services, Supported Employment, Community Self-Advocacy Training and Supports, Palliative Care – Expressive Therapy, Palliative Care-Massage Therapy, Palliative

Care – Bereavement Services, Palliative Care – Pain and Symptom Management, are included in this update.

MMCPs should update their payment systems to pay the new rates no later than the anticipated start date of February 15, 2022. MMCPs must configure their payment systems to retroactively adjust previously adjudicated claims with dates of service on or after April 1, 2021. Providers will be able to claim the new rates via Medicaid Fee-for-Service or Medicaid Managed Care once systems are updated.

As a reminder, MMCPs are required to pay State rates for these services and should refer to the May 27, 2020 notice *Reminder: State Mandated Provider Rates vs MMC ATB* from the New York State Department of Health.

Additional information regarding the rate changes is available on the DOH website [New York State Children's Medicaid System Transformation \(ny.gov\)](#).

Questions should be submitted to BH.Transition@health.ny.gov.