114.4 CMR 16.00 RATES FOR CLUBHOUSE SERVICES

Section

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16.01: General Provisions

(1) Scope. 114.4 CMR 16.00 governs the payment rates for Clubhouse Services provided pursuant to contracts executed under the Department of Mental Health's FY 2012 procurement of Clubhouse Services.

(2) Disclaimer of Authorization of Services. 114.4 CMR 16.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 114.4 CMR 16.00. The Governmental Unit that purchases the services is responsible for the definition, authorization, and approval of services provided to Clients.

(3) Administrative Bulletins. The Division may issue administrative bulletins to clarify its policy on substantive provisions of 114.4 CMR 16.00.

(4) Authority. 114.4 CMR 16.00 is adopted pursuant to M.G.L. c. 118G.

(5) 114.4 CMR 16.00 is effective July 1, 2012.

16.02: Definitions

Meaning of Terms. As used in 114.4 CMR 16.00, unless the context requires otherwise, terms shall have the meanings ascribed in 114.4 CMR 16.02.

Average Daily Attendance. A measure of the average number of Clients served each day by a program. The Governmental Unit assigns this number to the program.

Client. An adult for whom a Governmental Unit purchases Clubhouse Services.

Clubhouse Services. Services provided under a Clubhouse program to individuals with behavioral and/or mental health issues, including employment, educational, social and support services. Clubhouse services assist individuals to develop social networking, independent living, budgeting, self-care, and other skills that will assist them to live in the community and to secure and retain employment.

Cost Report. The document used to report costs and other financial and statistical data. The Uniform Financial Statements and Independent Auditor's Report (UFR) are used when required.

Division. The Division of Health Care Finance and Policy established under M.G.L. c. 118G.

Governmental Unit. The Commonwealth, any board, commission, department, division, or agency of the Commonwealth, and any political subdivision of the Commonwealth.

Provider. Any individual, group, partnership, trust, corporation, or other legal entity that offers Clubhouse Services for purchase by a Governmental Unit and that meets the conditions of purchase or licensure that have been or may be adopted by a purchasing Governmental Unit.

Reporting Year. The Provider's fiscal year for which costs incurred are reported to the Operational Services Division on the Uniform Financial Statements and Independent Auditor's Report (UFR).

Service Day. A Service Day is the unit of service used to bill the Governmental Unit. In general, a Service Day is a day during which an enrolled Client either participates in a Clubhouse Services activity or activities related to a specific goal or objective documented in the Client's Action Plan. The Governmental Unit will determine the specific events and conditions that qualify as billable activity. A Provider can only invoice one unit of service per member per day.

16.03: Rate Provisions

(1) Services included in the Rate. The approved rate shall include payment for all care and services that are part of the program of services of an eligible provider, as explicitly set forth by the purchasing governmental unit(s).

(2) Reimbursement as Full Payment. Each eligible provider shall, as a condition of payment by any purchasing governmental unit, accept the approved rate as full payment and discharge of all obligations for the services rendered. Payment by the purchasing governmental unit for services rendered to the Client shall be reduced by the amount of any payment from any other source.

(3) Payment Limitations. No purchasing governmental unit may pay less than, or more than, the approved rate.

(4) Approved Rates. The approved rate shall be the lower of the provider's charge or amount accepted as payment from another payer or the rate listed below:

(a) Average daily attendance of 60 and under - $42.56 per Service Day
(b) Average daily attendance of 61 and above - $31.49 per Service Day
(c) Program located in Nantucket or Dukes County - $ 69.66 per Service Day

16.04: Filing and Reporting Requirements

(1) General Provisions.

(a) Accurate Data. All reports, schedules, additional information, books, and records that are filed or made available to the Division shall be certified under pains and penalties of perjury as true, correct and accurate by the Executive Director or Chief Financial Officer of the Provider.

(b) Examination of Records. Each Provider shall make available to the Division or purchasing Governmental Unit upon request all records relating to its reported costs, including costs of any entity related by common ownership or control.

(2) Required Reports. Each Provider must file:

(a) an annual Uniform Financial Statement and Independent Auditor's report completed in accordance with the filing requirements of Division of Purchased Services Regulation 808 CMR 1.00;
(b) any Cost Report supplemental schedule as issued by the Division; and

(c) any additional information requested by the Division within 21 days of a written request.

(3) Penalties. The Division may reduce the payment rates by 15% for any Provider that fails to submit required information, subject to the approval of the purchasing Governmental Unit. The Division will notify the Provider in advance of its intention to impose a rate reduction. The rate reduction will remain in effect until the required information is submitted to the Division.

16.05: Severability of the Provisions of 114.4 CMR 16.00

The provisions of 114.4 CMR 16.00 are severable. If any provision of 114.4 CMR 16.00 or application of such provision to any eligible provider or fiscal intermediary is held invalid or unconstitutional, such determination will not affect the validity or constitutionality of any remaining provisions of 114.4 CMR 16.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

114.4 CMR 16.00: M.G.L. c 118G