

101 CMR: EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

101 CMR 427.00: RATES FOR CERTAIN YOUTH AND YOUNG ADULT SUPPORT SERVICES

Section

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427.01: General Provisions

- (1) Scope. 101 CMR 427.00 governs the payment rates for certain youth and young adult support services purchased by a governmental unit, including the Department of Children and Families, the Department of Mental Health, and the Department of Public Health.
- (2) Applicable Dates of Service. Rates contained in 101 CMR 427.00 apply for dates of service provided on or after July 1, 2023.
- (3) Disclaimer of Authorization of Services. 101 CMR 427.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 101 CMR 427.00. Governmental units that purchase the services described in 101 CMR 427.00 are responsible for the definition, authorization, and approval of services extended to clients.
- (4) Administrative Bulletins. EOHHS may issue administrative bulletins to clarify its policy on substantive provisions of 101 CMR 427.00.

427.02: Definitions

As used in 101 CMR 427.00, unless the context requires otherwise, terms have the meanings in 101 CMR 427.02.

Alternative to Lock-up Program. This program provides non-secure alternatives to lock-up for juveniles in police custody to comply with federal and state regulations regarding the placement of juveniles in their custody for either status or non-violent delinquent offenses.

Client. An individual that receives certain youth and young adult support services purchased by a governmental unit.

Conflict of Interest Services. The provision of case management services to families in need of protective services when a potential conflict of interest may exist with the Department of Children and Families.

Contact Hour. An hour spent engaging with young people in Teen Pregnancy Prevention Youth Development activities.

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

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Curriculum Hour. An hour spent delivering Teen Pregnancy Prevention evidence-based or evidence-informed sexuality programming to young people in a school setting or outside a school setting.

EOHHS. The Executive Office of Health and Human Services established under M.G.L. c. 6A.

Extraordinary Circumstances/Flex Funding. A method whereby, subject to availability, a purchasing governmental unit may provide resource allocations to a client and/or provider across the state. Flexible funding may be provided through a number of means including, but not limited to, reimbursement to client for specific support services or funds directed to a qualified provider for extraordinary circumstances.

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

Individual Consideration (I.C.). Payment rates for certain services are designated as individual consideration (I.C.). Where I.C. rates are designated, the purchasing governmental unit will determine the appropriate payment as the actual cost of the item or service as evidenced by invoice, published tuition amount, or other price reasonably obtained by a competitive market for the product or service.

Provider. Any individual, group, partnership, trust, corporation, or other legal entity that offers 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).

Teen Pregnancy Prevention Program. The teen pregnancy prevention programs deliver evidence-based or evidence-informed sexuality education programming to youth and young adults, with fidelity to the original program model. All teen pregnancy prevention programs use a positive youth development model that focuses on youth assets; some programs may choose to add additional positive youth development activities. Teen pregnancy prevention programs may be delivered in a virtual setting, school setting or outside of the school setting.

Teen Pregnancy Prevention Partnership Development. Partnership development services focus on developing and maintaining relationships with community-based organizations and schools to support the delivery of Adolescent Sexuality Educational services including, but not limited to, coalition meetings and local advisory meetings focused on adolescents.

Teen Pregnancy Prevention Youth Development. The Teen Pregnancy Prevention Youth Development model focuses on young people as resources and emphasizes caring relationships between youth and trustworthy adults. Youth development activities can enhance the success of adolescent sexuality education curriculum delivery by supporting the growth and development of the whole young person. Youth development may include, but is not limited to, the following

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strategies, delivered in addition to teen pregnancy prevention curricula: peer leadership models, youth summits/retreats, education/employment supports, and youth advisory councils.

Therapeutic Day Services. Therapeutic Day Services are voluntary, structured, therapeutic group programs for children and/or adolescents who have serious emotional disturbance or mental illness. Therapeutic Day Services are available to children and adolescents who require interventions beyond what the school, family, and traditional outpatient or recreational services can provide.

Young Parents Support Program. The Young Parents Support program (YPS) provides intensive counseling, case management, and other services to parents at the highest risk of abuse or neglect. Young Parents Support program supports clients 14 through 23 years of age who are typically referred to the program because they are not eligible for other teen parent programs. YPS enables their clients to meet their responsibilities as parents, students, and employees.

427.03: Rate Provisions

- (1) Services Included in the Rate. The approved rate includes payment for all care and services that are part of the program of services of an eligible provider, as explicitly set forth in the terms of the purchase agreement between the eligible provider and the purchasing governmental unit(s).
- (2) Reimbursement as Full Payment. Each eligible provider must, as a condition of acceptance of payment made by any purchasing governmental units for services rendered, accept the approved program rate as full payment and discharge of all obligations for the services rendered. Payment from any other source will be used to offset the amount of the purchasing governmental unit's obligation for services rendered to the publicly assisted client.
- (3) Payment Limitations. No purchasing governmental unit may pay less than or more than the approved program rate.
- (4) Administrative Adjustment for Extraordinary Circumstances. A method whereby, subject to availability of funds, a purchasing governmental unit may provide additional resource allocations to a qualified provider in response to unusual and unforeseen circumstances that substantially increase the cost of service delivery in ways not contemplated in the development of current rates. It must be demonstrated that such cost increases gravely threaten the stability of service provision such that client or consumer access to necessary services is at risk. The purchasing governmental unit will evaluate the need for the administrative adjustment, determine whether funding is available, and convey that information to EOHHS for review to determine the amount of any adjustment.
- (5) Approved Rates. The approved rate is the lower of the provider's charge or amount accepted as payment from another payer or the rate listed in 101 CMR 427.03.

Service	Model	Unit of Service	Rate
Alternative Lock-up Program	A	Month	\$12,725
	B	Month	\$21,928

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Service	Model	Unit of Service	Rate
	C	Month	\$27,967
Conflict of Interest Services	1 Family	Month	\$1,248
	5 Families	Month	\$6,202
Extraordinary Circumstances/Flex Funding	N/A	N/A	I.C.
Teen Pregnancy Prevention Program	In school	Curriculum Hour	\$380.85
	Outside school	Curriculum Hour	\$476.06
	Remote Add-on	Hour	\$95.21
Peer Leadership & Youth Development	N/A	Contact Hour	\$285.64
Partnership Development	N/A	Hour	\$53.81
Therapeutic Day Services	Model 1	Month	\$32,797
	Model 2	Month	\$27,789
	Model 3A	Month	\$29,917
	Model 3B	Month	\$40,722
	Model 4A	Month	\$23,425
	Model 4B	Month	\$43,943
Young Parent Support Program (YPS)	A	Month	\$9,295
	B	Month	\$18,590
YPS Specialty Direct Care III Add-on (.5 FTE)	A	Month	\$2,708
YPS Specialty Direct Care III Add-on (1 FTE)	B	Month	\$5,415

Add-on Staff for Teen Pregnancy Prevention Program		
Title	Unit of Service	Rate
Direct Care	Hourly	\$24.49
Direct Care III	Hourly	\$31.24

Add-on Staff for Therapeutic Day Services					
Title	Unit of Service	.25 FTE	.5 FTE	.75 FTE	1 FTE
Clinical (LICSW)	Monthly	\$1,965	\$3,929	\$5,894	\$7,858
Peer/Direct Care	Monthly	\$1,061	\$2,122	\$3,183	\$4,245
Direct Care III	Monthly	\$1,354	\$2,708	\$4,061	\$5,415

427.04: 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 EOHHS must be certified under pains and penalties of perjury as true, correct, and accurate by the executive director or chief financial officer of the provider.

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- (b) Examination of Records. Each provider must make available to EOHHS or the 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 Statements and Independent Auditor's Report completed in accordance with the filing requirements of 808 CMR 1.00: *Compliance, Reporting and Auditing for Human and Social Services*;
 - (b) any cost report supplemental schedule as issued by EOHHS; and
 - (c) any additional information requested by EOHHS within 21 days of a written request.
- (3) Penalty for Noncompliance. The purchasing governmental unit may impose a penalty in the amount of up to 15% of its payments to any provider that fails to submit required information. The purchasing governmental unit will notify the provider in advance of its intention to impose a penalty under 101 CMR 427.04(3).

427.05: Severability

The provisions of 101 CMR 427.00 are severable. If any provision of 101 CMR 427.00 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 101 CMR 427.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

101 CMR 427.00: M.G.L. c. 118E.