

101 CMR: EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

101 CMR 362.00: RATES FOR COMMUNITY SUPPORT PROGRAM SERVICES

Section

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362.01: General Provision

- (1) Scope and Purpose. 101 CMR 362.00 governs the rates to be used by all governmental units and worker's compensation insurers for community support program services provided by community support programs.
- (2) Applicable Dates of Service. Rates contained in 101 CMR 362.00 apply for dates of service provided on or after April 1, 2023.
- (3) Disclaimer of Authorization of Services. 101 CMR 362.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 101 CMR 362.00. Governmental units that purchase the services described in 101 CMR 362.00 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 and understanding of substantive provisions of 101 CMR 362.00.

362.02: General Definitions

Meaning of Terms. As used in 101 CMR 362.00, terms have the meanings set forth in 101 CMR 362.02 unless stated otherwise. In addition to the general definitions contained in 101 CMR 362.00, terms used in 101 CMR 362.00 have the meaning set forth in 101 CMR 362.02.

Community Support Program (CSP or the Program). Behavioral health diversionary services through community-based, mobile, paraprofessional staff to members, as set forth in 130 CMR 461.000: *Community Support Program Services*.

Community Support Program for Homeless Individuals (CSP-HI). A specialized CSP service to address the health-related social needs of members who are experiencing

- (a) homelessness and are frequent users of acute health MassHealth services, as defined by EOHHS; or
- (b) chronic homelessness, as defined by the U.S. Department of Housing and Urban Development.

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Community Support Program for Justice Involved (CSP-JI). A specialized CSP service to address the health-related social needs of members with justice involvement and have a barrier to accessing or consistently utilizing medical and behavioral health services, as defined by EOHHS. CSP-JI includes behavioral health and community tenure sustainment supports.

Community Support Program–Tenancy Preservation Program (CSP-TPP). A specialized CSP service to address the health-related social needs of members who are at risk of homelessness and facing eviction as a result of behavior related to a disability. CSP-TPP works with the member, the Housing Court, and the member’s landlord to preserve tenancies by connecting the member to community-based services in order to address the underlying issues causing the lease violation.

Eligible Provider. A community support program that meets the conditions of participation that have been adopted by a governmental unit purchasing community support program services.

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

Eviction. The process of obtaining a court order to remove a tenant and other occupants from a rental property including serving either a Notice to Quit or a request for temporary, preliminary, or permanent relief. Eviction may also refer to any instance in which such relief has been granted.

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

Homelessness. The condition of any member who lacks a fixed, regular, and adequate nighttime residence, and who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings including a car, park, abandoned building, bus or train station, airport, or camping group, or who is living in a supervised publicly or privately operated emergency shelter designated to provide temporary living arrangements, including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals. This includes those members who are exiting an institution (*e.g.*, jail, hospital) where they resided for 90 days or less and were residing in an emergency shelter or place not meant for human habitation immediately before entering the institution.

Justice Involvement or Justice Involved. A member with justice involvement is a member who is a former inmate or detainee of a correctional institution who has been released from a correctional institution within the past year; or an individual under the supervision of the Massachusetts Probation Service, Massachusetts Parole Board, or both, as determined by the Massachusetts Probation Service or the Massachusetts Parole Board.

Per Diem. A unit of payment that refers to a billable day in which the member is enrolled in the program.

Publicly Aided Individual. A person who receives health care and services for which a governmental unit is in whole or in part liable under a statutory program.

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Telehealth. The use of synchronous or asynchronous audio, video, electronic media, or other telecommunications technology, including, but not limited to:

- (a) interactive audio-video technology;
- (b) remote patient monitoring devices;
- (c) audio-only telephone; and
- (d) online adaptive interviews, for the purpose of evaluating, diagnosing, consulting, prescribing, treating or monitoring a patient's physical health, oral health, mental health, or substance use disorder condition.

362.03: Rate Provisions

(1) Rates as Full Compensation. The rates under 101 CMR 362.00 constitute full compensation for community support program services provided by community support programs to publicly aided and industrial accident patients, including full compensation for necessary administration and professional supervision associated with patient care.

(2) Rates of Payment. Payment rates under 101 CMR 362.00 are the lower of

- (a) the eligible provider's usual charge to the general public; or
- (b) the schedule of allowable rates for services provided by community support programs as set forth in 101 CMR 362.03(4).

(3) Modifiers.

- (a) -HK: Specialized mental health programs for high-risk populations (Community Support Program for Homeless Individuals).
- (b) -HH: Integrated mental health/substance abuse program (Community Support Program for Justice Involved).
- (c) -HE: Mental health program (Community Support Program–Tenancy Preservation Program).

(4) Fee Schedule. Rates for Community Support Program Services. The payment rates for community support programs are as follows:

Code	Rate	Service Description
H2015	\$15.88	Comprehensive community support services, per 15 minutes (Community Support Program)
H2016-HK	\$27.72	Comprehensive community support services, <i>per diem</i> , specialized mental health programs for high-risk populations (Community Support Program for Homeless Individuals)
H2016-HH	\$21.44	Comprehensive community support program, <i>per diem</i> , integrated mental health/substance abuse program (Community Support Program for Justice Involved)

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Code	Rate	Service Description
H2016-HE	\$22.81	Comprehensive community support services, <i>per diem</i> (Community Support Program–Tenancy Preservation Program)

362.04: Severability

The provisions of 101 CMR 362.00 are severable. If any provision of 101 CMR 362.00 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 362.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

101 CMR 362.00: M.G.L. c. 118E.