

2017 Legislative Update

Governor's Cabinet on Nonprofit Health and Human Services

Highlights of Bills Passed During 2017 Session:

Innovation Incentive Program for Nonprofit Providers of Human Services - PA 17-122 (HB 7007).

- Through this new program, the OPM Secretary may allow providers to keep certain percentages of savings realized by providers who otherwise meet contractual requirements
- Eligible entities include nonprofit providers of human services whose contracts do not exceed \$1 million dollars and provide direct services to not more than 150 people in state-funded assistance programs in specific geographic areas of the state

Review of Licensure and Certification Process for Nonprofit Providers - SA 17-21 (HB 6155)

- Requires OPM to convene a working group to conduct a review of licensure or certification processes for DCF, DDS, DMHAS, and DPH, focusing on coordination of required documentation and inspections for purposes of reducing administrative burdens on state agencies and nonprofit community providers
- Requires reporting to the Children, Government Administration, Human Services, and Public Health committees: 9/15 progress report and 12/31 final report
- Membership of the working group includes 2 representatives each from DCF, DDS, DMHAS, DPH, and six representatives of nonprofit community providers, 3 of which are appointed by OPM and three of which are designated by the CT Community Nonprofit Alliance

Medicaid Provider Audits and Electronic Visit Verification - PA 17-135 (HB 7190)

- Prohibits DSS from auditing a provider based on guidance or policies issued after the services being audited were provided
- Prohibits DSS from extrapolating any overpayments due to errors related to the implementation of the state-required electronic visit verification (EVV) system by nonmedical home care providers from 1/1/17 to 5/1/17 and medical home providers from 4/1/17 to 8/1/17
- Requires a report to the Human Services committee on the implementation of the EVV system by 7/1/18 that includes any problems experienced in implementation and recommendations to resolve them, as well as cost savings identified as a result of the system

Payments to Birth-To-Three Providers - SA 17-3 (HB 7323)

- Transferred \$6.7 million to OEC before the end of the fiscal year in order to fulfill payments to Birth-To-Three Providers. The projected shortfall was due to a continuation of a FY 16 deficiency, as well as an increase in the number of children who required more intensive services.

Licensed Alcohol and Drug Counselor Scope of Practice - PA 17-146, §22 (HB 7222)

- Clarifies that an LADC can provide counseling services to an individual diagnosed with a co-occurring mental health condition, as long as the counseling services are within the existing LADC scope of practice

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Statewide Waiting List for Residential Placements for Person with ID and DD – PA 17-61, §§1-2 (SB 246)

- Requires DDS to maintain one statewide, comprehensive residential waiting list and update it at least quarterly
- On or before August 1, 2018, requires DDS to annually assess each eligible individual's need for future residential funding or services, in consultation with that individual or the individual's legal representative
- One or before December 1, 2018, requires DDS to annually review the waiting list with the advisory and planning councils and the Council on Developmental Services

Creation of ID Partnership – PA 17-61, §3 (SB 246)

- Allows DDS, in collaboration with OPM and DSS, to organize and participate in an Intellectual Disability Partnership
- Requires broad and diverse representation from families, providers, and advocates, as well as notice of meetings, agenda, and minutes online on the DDS website

Included in Governor's Proposed Budget and Bond Package

Capital Funding in Nonprofit Grant Program – SB 788, §13 and §32

- Includes an additional \$25 million in each year of the biennium for the nonprofit grant program, which is a competitive funding pool for funding for alterations, renovations, improvements, additions and new construction, including health, safety, compliance with the Americans with Disabilities Act and energy conservation improvements, information technology systems, technology for independence, purchase of vehicles and acquisition of property
- Eligible entities include private, nonprofit health and human services organizations that receive funds from the state to provide direct health and human services to state agency clients

Certificate of Need Changes and Office of Health Strategy – SB 795

- Preserves the exemption from CON for nonprofit facilities that have state contracts; most recent draft also maintains CON review for for-profit behavioral health facilities, with an option for a determination request if the facility meets certain criteria
- Includes increased enforcement authority and monitoring of facilities to ensure the Medicaid population is being served
- Creates an Office of Health Strategy, effective July 1, 2018, charged with developing and implementing a comprehensive and cohesive health care vision for the state, including a coordinated state cost containment strategy. It will be funded through transfers of staff and resources from the All-Payers Claim Database; Health Information Technology Officer and related initiatives; the SIM initiatives; and the Office of Health Care Access.