101 CMR: EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

101 CMR 414.00: RATES FOR FAMILY STABILIZATION SERVICES

Section

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414.01: General Provisions

(1) Scope. 101 CMR 414.00 establishes the payment rates for family stabilization services that provide support to individuals and families to promote family stability and to prevent unnecessary out-of-home placements. These rates are established for the services listed in101 CMR 414.03(5). The rates for other family stabilization services are established by other EOHHS regulations as listed in 101 CMR 414.01(3).

(2) Effective Date. Rates contained in 101 CMR 414.00 are effective for dates of service provided on or after January 1, 2019.

(3) Services and Rates Covered by Other Regulations. Payment rates for the following services are not included within the scope of 101 CMR 414.00 and are governed by other regulations promulgated by EOHHS as follows.

Service	*Regulation*
Individual Support and Community Habilitation	101 CMR 423.00: *Rates for Certain In-home Basic Living Supports*

(4) Disclaimer of Authorization of Services. 101 CMR 414.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 101 CMR 414.00. Governmental units that purchase family stabilization services are responsible for the definition, authorization, and approval of services provided to participants.

(5) Administrative Bulletins. EOHHS may issue administrative bulletins to clarify its policy on substantive provisions of 101 CMR 414.00.

414.02: Definitions

As used in 101 CMR 414.00, unless the context requires otherwise, terms have the meanings in 101 CMR 414.02.

Adolescent Support Network. This service provides young adults with a diverse range of supportive services offered within community advocacy centers. Services are provided by staff trained specifically in the issues of this population, six days per week, and with 24-hour emergency coverage. The service utilizes flexible supports within the community to better assist youth through

life transitions in order to meet each person's needs and develop his or her capacity to make empowering choices that promote safety, well-being, and productivity.

Adult Companion and Adult Companion Group Services. Nonmedical care, supervision, and socialization services provided by a companion to a single participant or a small group of two or three participants. Companions may assist or supervise the participant with such light household tasks as meal preparation, laundry, and shopping.

After-school Respite. These services provide after-school supervision and activities for children and adolescents with developmental or behavioral challenges.

Agency Rate. The fee for services performed by a person whose wage is paid by a corporation or partnership that is a MassHealth provider or provider of human services purchased by any governmental unit of the Commonwealth.

Agency with Choice. The Agency with Choice program supports individual/family self-determination in managing the receipt of certain services. This program allows individuals/families to have an increased level of self-determination when they share responsibility for the hiring and management of employees/workers who provide services to them. The Agency with Choice provider is the common law employer of record and the individual/family is the managing employer. Fees for these services are not to exceed the equivalent published rate.

Autism Support Center Services. The array of information and referral services, resources, and support services to children and young adults with autism spectrum disorders and their families, including information and referral, family clinics, support groups, access to the latest information on autism, family trainings, parent networking and mentoring, and social/recreational events, among other activities.

Behavioral Support Services. Services designed to remediate identified challenging behaviors or to help individuals acquire socially appropriate behaviors that are necessary to improve the individual's independence and integration into their community. Behavioral support services and consultation are provided by psychology, mental health, and special education professionals.

Center Size. The number of direct-care full-time equivalent employees (FTEs) required to staff a family support center or autism support center as determined by the Department of Developmental Services (DDS).

Child Requiring Assistance (CRA). A child who is having serious problems at home and at school, including runaways, truants, and sexually exploited children, as designated by St. 2012, c. 240.

Chore. An unusual or infrequent household maintenance task that is needed to maintain the participant's home in a clean, sanitary, and safe environment. This service includes heavy household chores such as washing floors, windows, and walls; tacking down loose rugs and tiles; and moving heavy items of furniture in order to provide safe access and egress.

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Client Financial Assistance/Flexible Funding. A method whereby, subject to availability, a purchasing governmental unit may provide individual resource allocations to both families of children and adults across the state. Flexible funding may be provided through a number of means, including a stipend issued directly to the family; reimbursement to the family for specific expenses and support services; or funds directed by the family to a qualified provider for specific services.

Client Financial Assistance/Flexible Funding Administration. A service in which the provider performs the function necessary to successfully administer flexible funding expenditures to families for permissible support services, services, or goods.

Combined Hourly Services. These services, individual or group in nature, are based upon an hour's service time of direct-care staff. While most services are nonclinical, some may be clinical.

Community-based After-school Social and Recreation Program Services. After-school programs for blind children with the following elements: community-based recreation, social-skill development, peer support, and community integration.

Comprehensive Services. These family-oriented services reflect a range of either nonclinical or clinical, or blended models of the two, established on a per-full-day-of-service basis. Within model types, the client-to-staff ratio, or intensity of service, differentiates one from another.

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.

Educational Coordination. This is an educational support service providing pre- and post-adoption support for foster, adoptive, or guardianship families, and is based upon an enrolled day of service.

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

Family Navigation Services. Referral support services and expert advice designed to assist families to identify needs and to facilitate and gain access to local generic support services through coordination between family and other service providers. The family navigator acts as a guide and resource development expert to ensure that families have knowledge and access to a broad array of generic community resources, to provide assistance in navigating the system, and to recognize and promote the value of natural support services.

Family Resource Center (FRC). Community-based, culturally competent programs that provide evidence-based parent education groups, information and referral, mentoring, and other opportunities for children and families in need. FRCs also provide CRA-specific services such as intake, screening, and assessments.

Family Skills Development Program Model. A ten-to-13-week curriculum-based program that engages multiple (ten to12) families with children from newborn to adolescence, to participate in ten to 13 2 ½ hour sessions led by a trained team of four facilitators and other volunteers. The

goal is to develop strategies to increase communication skills, develop family rules, use positive discipline, address conflict, share feelings, and enjoy family fun. The program includes a full meal for all participants, and may include transportation for participants and child care for infants and other children.

Family Stabilization Services. Services that provide support to individuals and families to promote family stability and to prevent unnecessary out-of-home placements. Family stabilization services include adult companion group services, after-school respite, autism support center services, behavioral support services, case consultation services, chore services, client financial assistance/flexible funding, client financial assistance/flexible funding administration, combined hourly services, community-based after-school social and recreation program services, comprehensive services, educational coordination, family navigation services, family support centers, family systems intervention, family training, family training groups, homemaker services, individual support and community habilitation services, individual youth support services, intensive flexible family support services (IFFS), medically complex programs, occupational therapy, peer support services, physical therapy, planned facility-based respite for children, respite in the caregiver's home, respite in the client's home, site-based respite, specialized medical equipment, speech therapy, unbundled intensive foster care special support services, and youth support groups.

Family Support Centers. Programs that establish a local presence and act as a hub for offering a wide range of general family support services and activities to families of children and adults who are eligible for DDS services. Centers provide information, referral, and service navigation to DDS eligible families, connecting these families to services they may need, and host community activities such as guest speakers and trainings. Centers also play a role in the administration of client funds. Cultural/linguistic-specific family support centers have been created to respond to the unique needs of specific cultural and linguistic family groups in specified areas or regions of the state.

Family Training. Training and instruction for family members concerning the treatment regimes, behavior plans, and the use of specialized equipment that supports the individual waiver participant to participate in the community. Community family training may also include training in family leadership, support of self-advocacy, and independence for the family member.

Family Training Groups. These groups are designed to improve parenting skills. Of the three model types, two are multi-family in nature, and the third is designed for the parents alone. These groups run usually on a once-per-week basis, and generally range from ten to 16 weeks in duration. The most robust family model may include as many as 60 attendees, while parent groups typically include up to 20.

Flexible Support Services (FSS). An individualized and targeted set of interventions and services provided to children/youth/young adults with serious emotional disturbance (SED). Flexible support services strengthen the well-being of children/youth/young adults and their families; builds family cohesion; and prevents the need for more intensive services. Through this service, children/youth/young adults and their families develop the skills, strategies, and supports needed to live successfully in the community and to support the youth's ongoing

development of age-appropriate social, emotional, academic, and pre-vocational competencies. FSS is designed to be highly flexible to meet the varying needs of those served. The FSS service array includes parent peer support, peer mentoring, therapeutic support, and clinical services delivered through one of three modalities: an interdisciplinary team, a group, or as an individual service.

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

Homemaker. A person who performs light housekeeping duties (for example, cooking, cleaning, laundry, and shopping) for the purpose of maintaining a household.

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.

Intensive Flexible Family Support Services (IFFS). Services that support families with one or more members with a disability who are experiencing significant challenges that put the child/individual at risk of out-of-home placement. This is a time-limited (six to 12 months) and goal-oriented service that provides more focused and intensive supports in response to identified areas of need and difficulty and that builds and strengthens the family's capacity to support their child at home.

Medically Complex Programs. Family-driven models of care that support families with children and young adults who have significant cognitive, physical, and complex health care needs and who are living at home. The goal is to provide comprehensive wrap-around support services, which consist of specialized case management activities that help families integrate the variety of resources and support services they are receiving in order to care for their family member at home.

Micro Family Resource Center. A reduced FRC staffing model, which may be affiliated with an FRC.

Micro Family Resource Center Add-on. Additional staff time allocated to an FRC or Micro FRC to increase its CRA staff capacity.

Occupational Therapy. Therapy services, including diagnostic evaluation and therapeutic intervention, designed to improve, develop, correct, rehabilitate, or prevent the worsening of functions that affect the activities of daily living that have been lost, impaired, or reduced as a result of acute or chronic medical conditions, congenital anomalies, or injuries. Occupational therapy programs are designed to improve quality of life by recovering competence and preventing further injury or disability, and to improve the individual's ability to perform tasks required for independent functioning, so that the individual can engage in activities of daily living.

Parent Skill Development Program Model. A 12-to-14-week program based on curricula that promote positive parenting and skill building for parents and other care givers. Child care may be provided, but there are no children's groups. The program focuses on the specific needs of parents in their role in the family. The program includes a full meal for all participants, and may include transportation for participants and child care for infants and other children.

Peer Support Services. Services that are designed to provide training, instruction, and mentoring to individuals about self-advocacy, participant direction, civic participation, leadership, benefits, and participation in the community. These services may be provided either by an individual with an intellectual disability or an advisor or support person to a self-advocacy group.

Physical Therapy. Therapy services, including diagnostic evaluation and therapeutic intervention, designed to improve, develop, correct, rehabilitate, or prevent the worsening of physical functions that have been lost, impaired, or reduced as a result of acute or chronic medical conditions, congenital anomalies, or injuries. Physical therapy emphasizes a form of rehabilitation focused on treatment of dysfunctions involving neuromuscular, musculoskeletal, cardiovascular/pulmonary, or integumentary systems through the use of therapeutic interventions to optimize functioning levels.

Planned Facility-based Respite for Children. Services that provide out-of-home supervision and care in a licensed respite home to provide relief for the parents/primary caregivers.

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).

Respite in the Caregiver’s Home. Supervision and care provided in the caregiver’s home on a short-term basis, including on a short-term overnight basis, where there is an absence or need for relief of those persons who normally provide care for the participant. Since this service is provided in the caregiver’s home, applicable license or certification is necessary.

Respite in the Recipient’s Home. Supervision and care provided in the home of the client, by qualified staff that possess a high school diploma, GED, or equivalencies or relevant competencies, on a short-term basis, including on a short-term overnight basis, where there is an absence or need for relief of those persons who normally provide care for the participant.

Self-employed Provider Rate. The fee for services performed by a person that is a provider and is not paid a wage by another person or entity for services performed.

Session. A single group meeting.

Site-based Respite. Services provided by a licensed respite home designed to provide out-of-home supervision and care to provide relief for the parents/primary caregivers.

Specialized Medical Equipment and Supplies. Devices, controls, or appliances to increase abilities in activities of daily living, or to control or communicate with the environment.

Specialty Family Skills Development Program Model. A 14-to-16-week curriculum-based program that engages multiple (ten to 12) families with children from newborn to adolescence, to participate in 14 to 16, 2 ½ hour sessions led by a trained team of eight to 12 facilitators, professionals, specialty providers, and volunteers. These groups are designed to address families with unique and/or multiple challenges, and special support needs. The program includes a full meal for all participants, and may include transportation for participants and child care for infants and other children.

Speech/Language Therapy. Therapy services, including diagnostic evaluation and therapeutic intervention, that are designed to improve, develop, correct, rehabilitate, or prevent the worsening of speech/language communication and swallowing disorders that have resulted in lost, impaired, or reduced speech/language communication and swallowing abilities as a result of acute or chronic medical conditions, congenital anomalies, or injuries. Speech and language disorders are those that affect articulation of speech, sounds, fluency, voice, swallowing (regardless of presence of a communication disability), and those that impair comprehension, or spoken, written, or other symbol systems used for communication.

Unbundled Intensive Foster Care Special Support Services. This model of intensive foster care represents a modification of the model that is the basis for 101 CMR 411.00: *Rates for Certain Placement, Support, and Shared Living Services*. This model was requested by the Department of Children and Families (DCF) and eliminates the family resource worker because a DCF employee fulfills this role.

414.03: 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 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 participant.

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

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(4) Services Provided in Dukes or Nantucket County. In accordance with the provisions of St. 2016, c. 133, payment for services provided in programs located in Dukes or Nantucket County is the rate for the service contained in 101 CMR 414.03(5) times a factor of 1.07.

(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 414.03(5).

Service	Center Size	Unit of Service	Agency Rate
Adolescent Support Network		Enrolled day	$20.11
Adult Companion		15 minutes	$5.07
Adult Companion Group Services Group of 2		15 minutes	$3.26
Adult Companion Group Services Group of 3		15 minutes	$2.16
After-school Respite		half day	$49.94
After-school Respite		full day	$86.51
Autism Support Center/Family Support Center	0.5	Month	$3,988.24
Autism Support Center/Family Support Center	1	Month	$7,976.30
Autism Support Center/Family Support Center	1.5	Month	$11,964.54
Autism Support Center/Family Support Center	2	Month	$15,952.69
Autism Support Center/Family Support Center	2.5	Month	$18,934.80
Autism Support Center/Family Support Center	3	Month	$21,944.91
Autism Support Center/Family Support Center	3.5	Month	$24,968.86
Autism Support Center/Family Support Center	4	Month	$28,048.47
Autism Support Center/Family Support Center	4.5	Month	$31,225.59
Autism Support Center/Family Support Center	5	Month	$34,374.79
Autism Support Center/Family Support Center	5.5	Month	$37,548.95
Autism Support Center/Family Support Center	6	Month	$40,689.88
Autism Support Center/Family Support Center	6.5	Month	$43,861.26
Autism Support Center/Family Support Center	7	Month	$46,993.93
Autism Support Center/Family Support Center	7.5	Month	$50,162.53
Autism Support Center/Family Support Center	8	Month	$53,740.78
Autism Support Center/Family Support Center	8.5	Month	$56,182.58
Autism Support Center/Family Support Center	9	Month	$59,067.41
Autism Support Center/Family Support Center	9.5	Month	$61,952.21
Autism Support Center/Family Support Center	10	Month	$64,781.32
Autism Support Center/Family Support Center	10.5	Month	$67,666.10
Autism Support Center/Family Support Center	11	Month	$70,383.94

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Service	Center Size	Unit of Service	Agency Rate
Autism Support Center/Family Support Center	11.5	Month	$73,157.29
Autism Support Center/Family Support Center	12	Month	$75,875.06
Agency with Choice		N/A	I.C.
Agency with Choice Admin Fee		Month	$251.39
Behavioral Support Services Bachelor's		15 minutes	$15.74
Behavioral Support Services Master's		15 minutes	$23.65
Behavioral Support Services PhD		15 minutes	$33.83
Community-based After-school Social and Recreation Programs		Group Hour	$33.04
Client Financial Assistance/Flex Funding		N/A	I.C.
Client Financial Assistance/Flex Funding Administration		Transaction	$14.90
Combined Hourly Services:			
Nonclinical		Hour	$52.96
Clinical		Hour	$74.74
Comprehensive Services:			
Model A-1 Direct Care–Nonclinical Less Intensive		Enrolled day	$36.40
Model A-2 Direct Care–Nonclinical More Intensive		Enrolled day	$49.16
Model B Direct Care and Clinical Less Intensive		Enrolled day	$66.85
Model C Direct Care and Clinical More Intensive		Enrolled day	$66.17
Model D Clinical		Enrolled day	$70.00
Model E Direct Care and Clinical High Intensive		Enrolled day	$102.87
Model F Direct Care and Clinical Highest Intensive		Enrolled day	$148.75
Model G Direct Care and Clinical Higher Intensive		Enrolled day	$123.74
Educational Coordination		Enrolled day	$17.56
Family Navigation		15 minutes	$12.57
Family Resource Center		Month	$47,479
Micro Family Resource Center		Month	$18,964
Micro Family Resource Center Add-on		Month	$2,664

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Service	Center Size	Unit of Service	Agency Rate
Family Resource Center *Per Diem* Add-on: Family Support Worker		*Per Diem*	$195.63
Family Resource Center *Per Diem* Add-on: Clinician		*Per Diem*	$274.87
Family Resource Center *Per Diem* Add-on: Family Partner		*Per Diem*	$177.19
Family Training Groups:			
Specialty Family Skills Development Program Model		Session	$2,278.52
Add-ons for a Specialty Family Skills Development Program Model:			
Occupancy Purchase of Space		Session	$132.23
Family Skills Development Program Model		Session	$1,454.30
Add-ons for a Family Skills Development Program Model:			
Facilitator/Coordinator		Session	$66.30
Meals		Session	$162.59
Child Care		Session	$46.88
Occupancy Purchase of Space		Session	$132.23
Transportation		Session	$158.68
Parent Skill Development Program Model		Session	$1,100.48
Add-ons for a Parent Skill Development Program Model:			
Facilitator/Coordinator		Session	$66.30
Meals		Session	$162.59
Child Care		Session	$46.88
Occupancy Purchase of Space		Session	$132.23
Transportation		Session	$158.68
Family Training		Hour	$26.68
Family Training Group of 2		Hour	$13.36
Family Training Group of 5		Hour	$5.36
Intensive Flexible Family Support Services		Enrolled day	$17.96
Medically Complex Programs		Month	$263.94
Peer Support		Hour	$26.68
Peer Support Group of 2		Hour	$13.36
Peer Support Group of 5		Hour	$5.36
Planned Site-based Respite for Children		Day	$387.78

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Service	Center Size	Unit of Service	Agency Rate
Planned Site-based Respite for Children High-intensity Support Needs		Day	$498.78
Planned Site-based Respite for Children		30 Minutes	$24.24
Planned Site-based Respite for Children High-intensity Support Needs		30 Minutes	$31.18
Respite in Caregiver's Home Level 1		Day	$106.72
Respite in Caregiver's Home Level 2		Day	$131.26
Respite in Caregiver's Home Level 3		Day	$155.80
Respite in Recipient's Home, 1:1		Hour	$26.68
Respite in Recipient's Home, 1:2		Hour	$13.36
Respite in Recipient's Home, 1:3		Hour	$8.88
Respite in Recipient's Home		Day	$240.12
Site-based Respite		Day	$264.32
Site-based Respite with Nursing		Day	$328.77
Unbundled Intensive Foster Care Special Support		Child day	$45.30

Flexible Supports Service	Level	Hourly Rate	Monthly Rate 1.0 FTE	Monthly Rate 0.75 FTE	Monthly Rate 0.5 FTE	Monthly Rate 0.25 FTE
Program Manager	1	N/A	$7,480	$5,610	$3,740	$1,870
Program Manager	2	N/A	$8,613	$6,459	$4,306	$2,153
Clinician	1	$82.14	$7,338	$5,503	$3,669	$1,834
Clinician	2	$90.39	$8,075	$6,056	$4,037	$2,019
Family Partner	1	$64.06	$5,135	$3,851	$2,568	$1,284
Family Partner	2	$74.00	$5,932	$4,449	$2,966	$1,483
Peer Mentor/Therapeutic Support Specialist	1	$56.95	$4,973	$3,730	$2,487	$1,243
Peer Mentor/Therapeutic Support Specialist	2	$61.60	$5,379	$4,034	$2,689	$1,345

414.04: 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 Statement 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 reduce the payment rates by 15% for any provider that fails to submit required information to EOHHS. The purchasing governmental unit will notify the provider in advance of its intention to impose a rate reduction.

414.05: Severability

The provisions of 101 CMR 414.00 are severable. If any provision of 101 CMR 414.00 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 414.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

101 CMR 414.00: M.G.L. c. 118E.