

10-148 DEPARTMENT OF HEALTH AND HUMAN SERVICES

~~148 BUREAU OF CHILD AND FAMILY SERVICES~~

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Chapter 21: RULES FOR THE PROVISION OF PAYMENTS FOR RESIDENTIAL PROGRAMS SERVING CHILDREN

SECTION 1: PURPOSE

To provide reimbursement ~~methods and requirements at a standard rate~~ within the available funds, to ensure that the payments are reasonable and consistently applied to like programs while meeting the needs of the children in the facility.

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SECTION 2: LEGAL BASE

The authority of the Department of Human Services to accept and administer funds that may be available from state and federal sources for the provision of residential services is contained in Title 22 MRS ~~A, Subchapter VII, Section §§ 4004 and 4062.~~

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~~This policy is effective January 1, 2001.~~

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SECTION 3: DEFINITIONS

- A. ~~“BCFSOCFS”~~ or ~~“BureauOFFICE”~~ means the ~~Bureau-Office~~ of Child and Family Services.
- B. ~~“BMSOMS”~~ means the ~~Bureau of Medical-Office of Maine Care~~ Services.
- C. “Contract” means a written document which sets forth the duties and obligations of the ~~Bureau-Office~~ of Child & Family Services and the Provider.
- D. “DHHS” means the Department of Health and Human Services.
- E. ~~“Guidelines” mean the Guidelines for Rate Determination of Children’s Residential Facilities. Children’s Residential Programs mean facilities that are licensed by the State of Maine as congregate care or residential treatment programs for children.~~
- F. ~~“PNMI” means Private Non-Medical Institution, which are federal funds administered by the Bureau of Medical Services. “Provider” means a private corporation with which the OCFS has established a contract to purchase services.~~

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- G. ~~“Provider” means a private corporation with which the BCFS has established a contract to purchase services. “Room and Board” means those services essential to meet the basic physical, social, and biological needs of the child.~~
- H. ~~“Room and Board” means those services essential to meet the basic physical, social and biological needs of the child. For facilities ineligible to receive PNMI funds, Room & Board funds may also be used to fund treatment costs.~~

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SECTION 4: CONTRACT DEVELOPMENT

- A. The ~~Bureau~~ Office of Child and Family Services shall purchase services from licensed providers through a contract administered by the ~~Community Services Center, Division of Contracted Community Services, OCFS~~, unless an exception is approved.
- B. Contracts shall include the rate which shall be established by the ~~most current guidelines for rate setting for children’s residential programs and will thereafter be periodically reviewed~~ process set forward in this rule for Children’s Residential Programs and will thereafter be periodically reviewed. Additionally, contracts shall include applicable caps on costs, the expectations for services to be provided, ~~the settlement process~~, and any other provisions that are appropriate.
- C. Contracts are non-encumbered and are reimbursed on a daily rate per-child occupied bed day basis.
- D. ~~Contracts shall have an open termination date and are considered to be in effect unless officially terminated. Contract amendments shall be made in writing and signed by all parties.~~
- E. ~~Contract amendments shall be made in writing and signed by all parties. Revised rates will be stipulated by letter from OCFS.~~
- F. ~~Revised rates will be stipulated by letter from the BCFS.~~

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SECTION 5: ~~RATE DEVELOPMENT~~ Effective April 1, 2013, Room and Board rate is \$54.45 per occupied bed day.

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SECTION 5A: Reimbursement for Medical Treatment

~~The Department, Bureau of Child & Family Services, shall provide payments to facilities caring for children to meet the costs of room and board within the limits of available funds, according to rates established by the Department. Within the limits of available funds, at the discretion of the Commissioner, the Department may reimburse for some medical treatments that are not reimbursed under MaineCare. This requires written prior approval. Providers shall submit written requests for prior approval, and such funds will~~

be distributed only upon written prior approval by the Director, Office of Child and Family Services.

~~A. The daily room and board rates are set according to the Guidelines for Rate Setting for Children's Residential Programs utilizing reasonable, allowable and comparable costs as defined in the Guidelines.~~

~~1. Rates will only be determined for facilities approved for DHS placements.~~

~~2. No portion of the costs reimbursed by other funds shall be reimbursed through the room and board rate.~~

~~3. Costs included in rate setting later discovered to be out of compliance with the Guidelines may be subject to recall or used to offset the rate in future years.~~

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SECTION 6: PAYMENTS AND BILLING PROCEDURES

A. Routine Payments

1. Payments shall be made according to the established rate as set forth in ~~the Guidelines and upon the authorization of the placement by the DHS Caseworker~~this rule by either billing the Department of by direct payment as agreed upon by all parties prior to the placement of the child in the program.

2. Payments shall be made for the day of admission into the program but not the day of discharge

B. Adjustments

1. Overpayments due to revised rates shall be either

a. Deducted from future payments immediately or according to a schedule approved by the ~~Bureau Residential Services Manager in conjunction with the Financial Manager~~OCFS Director, or

b. Repaid by the Provider as a lump sum payment within one month

2. Repayment refusal by the Provider may result in the suspension of the contract. Underpayments shall be made to the Provider within one month.

3. ~~Underpayments shall be made to the Provider within one month.~~Reimbursement shall not be made to the Provider for services that are over one year old.

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4. ~~The Provider shall submit to BCFS Reconciliation Reports every calendar quarter (due one month after the end of the quarter) based upon services provided. The Bureau provides a standard format for the Providers to use. Providers may seek a review of the repayment plan established by the Office by contacting the Director, Division of Operations.~~
 5. ~~Reimbursement shall not be made to the Provider for services that are over one year old.~~
 6. ~~Providers may seek a review of the repayment plan established by the Bureau by contacting the Director, Division of Operations.~~
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~~STATUTORY AUTHORITY: 22 MRSA sub c. VII § 4062~~

~~EFFECTIVE DATE:
January 1, 2001~~