

CY 2022 FFS Home Care Initial Rates: Certification and Update

Certified Home Health Agencies (CHHA – Pediatric)
Licensed Home Care Service Agencies (LHCSA – Personal Care)
Consumer Directed Personal Assistance Program/ Fiscal Intermediary (CDPAP – FI)

January – December 2022 Rate Setting

Webinar Logistics

- All participants will be on mute for the duration of the session
- Please use the Q&A feature in Webex to submit questions
- There will be time for questions both during and after the presentation
- Resources and contact information are included at the end
- The recording and slides will be posted on DOH website



Agenda

Topic	Speaker
Background, Timeline, and Process	DOH
Home Care cost report; Overview of rate development; Impact of reported 2020 data on 2022 rates	DELOITTE
Process for initial rates certification or appeal; Live demo of the Tool – time permitting	KPMG
Resources, Website, and Contact Information	DOH
Questions	DOH, KPMG & DELOITTE



Background

- The State implemented the new Home Care cost reports in 2019 and did NOT use the first year for 2021 rate development per industry's request.
- The 2020 Home Care cost reports were used to develop the January 1, 2022 rates.
 Additionally, they were used to further update existing April 1, 2022 and October 1, 2022 rates.
- Due to continuing discrepancies in reporting under the new process, the Department is opening the appeals process prior to loading rates into eMedNY.
- Providers <u>MUST</u> either accept/certify the rates as provided, or use the appeals process to correct the cost report submission.
- If a provider does NOT act, these rates will become final and no further adjustments will be made.



Personal Care and CDPAP Corrections

- The Department identified that the Regional Ceilings did not enable the growth from minimum wage increases to be captured within the Personal Care and Consumer Directed rates.
- The Department is now actively working to correct this, and will re-release rates through the HCS once available.
- The timeline on the next several pages will be adjusted to capture the updated rate release date.



Timeline

- <u>April 26, 2023</u>: Dear Administrator Letter (DAL) sent to providers and Initial rate calculation sheets for January 1, April 1, and October 1, 2022 are posted on the Health Commerce System (HCS).
- May 2, 2023: The Department Initial Rates webinar is held and 90 day appeals period begins.
- <u>TBD</u>: The Department will draw down any completed certifications and appeals (adjusted submissions) after 30 days, in an effort to support providers that have minimal or no changes with their new rates.
 - Appealed rates will be reviewed and re-calculated, and both appealed and certified rates will be loaded to eMedNY after internal and DOB approvals.
 - All providers will have until <u>TBD</u> to certify their rates or submit an appeal. The 30-day
 early response process is being offered as a convenience.

Timeline (Cont'd)

- **TBD**: All rate appeals and certifications must be submitted to the Department via the web-based tool no later than this date (conclusion of 90 day appeal window).
- <u>TBD</u>: Appeals period is closed. All rate certifications and appeals will be processed, sent for approval, and then loaded into eMedNY after approval is granted.



Access the 2022 Initial Rates on HCS

- 1. Login to the Health Commerce System (HCS) website at: https://commerce.health.state.ny.us/public/hcs_login.html
- 2. Under My Applications, select **Healthcare Finance Data Gateway**, or go to "My Content" at the top menu, then **All Applications** to search for the application under "C" for CHHA or "P" for Personal Care
- 3. Click on the **Publications** section of this new application;
- 4. Under Organization Type, select Home Health Agency or Personal Care from the drop down menu;
- 5. Under **Collection**, select either of the following "**Jan, April or Oct 2022 Rates**" from the drop down menu;
- 6. Under Package, select "Jan, April or Oct 2022 Rates" from the drop down menu;
- 7. Under **Organization**, select your agency, then select **Search**.
- 8. Next select **Download** to save the initial rate computation sheets for January 1, 2022, April 1, 2022 and October 1, 2022.
- 9. Once reviewed, proceed to the web-based Tool to certify or appeal the initial rates. May 2023



Regulatory Authority for Appeals

- Personal Care and Consumer Directed Personal Assistance Program
 - ➤ The Provider has 90 days from written notification to file an appeal
- Title 18 of the NYCRR; Section 505.14 7(v)(iii)(b)(1)
 - ➤Within 90 calendar days after the provider receives the written notification of its rate, the provider must notify the department of any errors in the rate resulting either from the provider's submission of erroneous information in its cost report or the department's erroneous computation of the rate and of the provider's request for a revised rate



Regulatory Authority Requiring Cost Report Submission

 Title 10 of the NYCRR; Parts 86-1.2, 1.3, 1.6 and 1.7 require agencies to submit their Home Care Cost Report to the Commissioner / Department, and failure to comply may result in the implementation of penalties pursuant to Part 86-1.2(c) and Section 12-d



Questions?

Please use the Q&A feature in Webex to submit your questions





Home Care Cost Report: Impact of 2020 Cost Report Data on 2022 Rates

Presented by Deloitte Team

Topic	Page
FFS Home Care Rate Build Overview	
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Consumer Directed Personal Care Assistance Program/ Fiscal Intermediary (CDPAP – FI)	14
Certified Home Health Agencies (CHHA – Pediatric)	15



FFS Home Care Rate Build Overview: Licensed Home Care Services Agencies (LHCSA – Personal Care)

	Rate Components	Formula	Schedules used	Column/Line items used						
	Direct Care and Training									
(1)	Direct Care & Training Costs	(Direct Care & Training cost by service) / (Hours/Visits by service)	Schedule 3b Schedule 5b	Col 005/006 & 007-010 lines 001-007 Col 023 or 024 lines 001-007						
(2)	Direct Care & Training Regional Ceiling	Capped at 115% of regional average provided by DOH								
(3)	Direct Care & Training Rate	Minimum of (1) and (2)								
		Administration								
(4)	Admin Cost (excluding Capital and Background & Fingerprinting)	(Admin Cost per hour/visit) - (Capital Cost per hour/visit by service) - (Background & Fingerprinting Cost per hour/visit by service)	Schedule 3b Schedule 5b Schedule 3b Schedule 4b Schedule 4b	Col 004 lines 001-007 Col 023 or col 024 lines 001-007 Col 004 line 010 Total of col 004 lines 002-003 & 005-011 & 015 Col 003 line 001						
(5)	Admin Ceiling (capped at 28% of Total Costs)	28% * [(Allowable Cost by service) / (Hours/Visits by service)]	Schedule 3b Schedule 5b	Col 003 lines 001-007 Col 023 or 024 lines 001-007						
(6)	Direct Care & Training Regional Ceiling	(2)								
(7)	Lower of Admin Cost or Admin Ceiling or DC&T Ceiling	Minimum of (4), (5) and (6)								
(8)	Capital Costs	(Admin Percent) * [(Capital Cost across Sch 4b) / (Hours/Visits by service)]	Schedule 3b Schedule 3b Schedule 4b Schedule 5b	Col 004 lines 001-007 Col 004 line 010 Total of col 004 lines 002-003 & 005-011 & 015 Col 023 or col 024 lines 001-007						
(9)	Background & Fingerprinting Costs	(Admin Percent) * [(Background & Fingerprinting across Sch 4b) / (Hours/Visits by service)]	Schedule 3b Schedule 3b Schedule 4b Schedule 5b	Col 004 lines 001-007 Col 004 line 010 Col 003 line 001 Col 023 or col 024 lines 001-007						
(10)	Admin Cost (including Capital and Background & Fingerprinting)	(7) + (8) + (9)								
(11)	Admin and Direct Care & Training Rate	(3) + (10)								
		Rate Add-Ons								
	Profit / Surplus	(11) * [(Allowable costs for aide wages and benefits across Sch 3b) / (Total Allowable cost across Sch 3b) * (6 Months T-Bill rate)]	Schedule 3b Schedule 3b	Col 005/006 & 008-010 lines 001-007 Col 003 lines 001-007						
	Total Rate	(11) + (12)								
(14)	Public Charge Rate		Schedule 7b	Col 001 lines 001-007						
(15)	Lower of Total Rate or Public Charge Rate (if > \$0)	Minimum of (13) and (14)								
` '	Minimum Wage	\$0 for 'Nursing Supervision' and 'Nursing Assessment'. For all other services, the increase is dependent on whether the county served is in Upstate/Downstate. The 'Live-in' minimum wage increase is base rate times 13 hours of service. For other services, the minimum wage add-on is based on the hourly increase.								
	Home Care Worker Minimum Wage Increase (eff. 10/1/2022) ¹	\$2 Home Care Worker Minimum Wage increases depending on category of service.								
(18)	Worker Recruitment & Retention	[(15) + (16) + (17)] * 4.56%								
	1% Medicaid ATB Increase (eff. 4/1/2022) ¹	[(15) + (16) + (17) + (18)] * 1%								
(20)	Final Rate (One Client)	(15) + (16) + (17) + (18) + (19)								

Note: The 1% ATB increase, and \$2 Home Care Worker Minimum Wage increases are applicable for rates effective 4/1/2022 and 10/1/2022, respectively.

FFS Home Care Rate Build Overview: Consumer Directed Personal Care Assistance Program/Fiscal Intermediary (CDPAP – FI)

	Rate Components	Formula	Schedules used	Column/Line items used
(1)	Direct Care & Training Costs	(Direct Care & Training cost by service) / (Hours/Visits by service)	Schedule 3c Schedule 5c	Col 005/006 & 007-010 lines 001-006 Col 023 or 024 lines 001-006
(2)	Direct Care & Training Regional Ceiling	Capped at 115% of regional average provided by DOH		
(3)	Direct Care & Training Rate	Minimum of (1) and (2)		
		Capital and Background & Fingerprinting Costs ¹		
(4)	Capital Costs	(Admin Percent) * [(Capital Cost across Sch 4c) / (Hours/Visits by service)]	Schedule 3c Schedule 3c Schedule 4c Schedule 5c	Col 004 lines 001-006 Col 004 line 007 Total of col 004 lines 002-003 & 005-011 & 015 Col 023 or col 024 lines 001-006
(5)	Background & Fingerprinting Costs	(Admin Percent) * [(Background & Fingerprinting across Sch 4c) / (Hours/Visits by service)]	Schedule 3c Schedule 3c Schedule 4c Schedule 5c	Col 004 lines 001-006 Col 004 line 007 Col 003 line 001 Col 023 or col 024 lines 001-006
(6)	Total Capital and Background & Fingerprinting Costs	(4) + (5)		
(7)	Direct Care & Training Rate and Capital and Background & Fingerprinting Costs	xground & (3) + (6)		
		Rate Add-Ons		
(8)	Profit / Surplus	(7) * [(Allowable costs for aide wages and benefits across Sch 3c) / (Total Allowable cost across Sch 3c) * (6 Months T-Bill rate)]	Schedule 3c Schedule 3c	Col 005 & 008-010 lines 001-006 Col 003 lines 001-006
(9)	Total Rate	(7) + (8)		
(10)	Public Charge Rate		Schedule 7c	Col 001 lines 001-006
(11)	Lower of Total Rate or Public Charge Rate (if > \$0) Minimum of (9) and (10)			
(12)	Minimum Wage	The increase is dependent on whether the county served is in Upstate/Downstate. The 'Live-in' minimum wage increase is base rate times 13 hours of service. For other services, the minimum wage add-on is based on the hourly increase.		
` '	Home Care Worker Minimum Wage Increase (eff. 10/1/2022) ²	\$2 Home Care Worker Minimum Wage increases depending on category of service.		
(14)	Worker Recruitment & Retention	[(11) + (12) + (13)] * 4.56%		
(15)	1% Medicaid ATB Increase (eff. 4/1/2022) ²	[(11) + (12) + (13) + (14)] * 1%		
(16)	Final Rate (One Client)	(11) + (12) + (13) + (14) + (15)		

- **Notes:** 1. Effective April 2021, the State is reimbursing admin costs for FIs (except capital, background & fingerprinting costs) through a separate utilization-based tiered PMPM approach. Therefore, the admin rate comprises of capital, background and fingerprinting costs.
 - 2. The 1% ATB increase, and \$2 Home Care Worker Minimum Wage increases are applicable for rates effective 4/1/2022 and 10/1/2022, respectively.

FFS Home Care Rate Build Overview: Certified Home Health Agencies (CHHA – Pediatric)

	Rate Components	Formula	Schedules used	Column/Line items used					
	Total Allowable Costs (including all Administrative Expenses)								
(1)	Cost per Utilization	(Total Allowable cost by service) / (Hours/Visits by service)	Schedule 3a Schedule 5a.1 Schedule 5a.2	Col 003 lines 001-018 Cols 023-024 lines 001-017, 019 Cols 023-024 lines 001-017, 019					
(2)	Regional Group Ceiling	110% * the regional centered average cost/utilization1	Schedule 3a Schedule 5a.1 Schedule 5a.2	Col 003 lines 001-018 for all regional agencies Cols 023-024 lines 001-017, 019 for all regional agencies Cols 023-024 lines 001-017, 019 for all regional agencies					
(3)	Public Charge Rate	Current Charges to the General Public	Schedule 7a	Col 001 lines 001-010					
(4)	Total Allowable Costs Rate	Minimum of (1), (2), and (3)							
		Disallowed Administrative Expenses (Subject to Statewide Admin Cap)							
(5)	Total Agency Admin & General Cost as % of Operating Costs	(Total Admin & General Costs) / [(Total Allowable Costs) – (Capital Costs)]	Schedule 3a Schedule 4a	Col 003 line 019 Col 004 lines 002-003, 005-011, 014-016, 018					
(6)	Agency Admin Rate	(4) * (5)							
(7)	Statewide Average Cap Admin & General Cost Percentage	(Total Admin & General Costs) / [(Total Allowable Costs) – (Capital Costs)]	Schedule 3a Schedule 4a	Col 003 line 019 for all providers statewide Col 004 lines 002-003, 005-011, 014-016, 018 for all providers statewide					
(8)	Allowable Admin & General Cap	(4) * (7)							
(9)	Disallowed A&G	(8) - (6)							
(10)	Total Rate	(4) + (9)							
		Rate Add-Ons							
(11)	Minimum Wage	\$0 for 'Nursing', 'Physical Therapy', 'Speech Therapy', and 'Occupational Therapy'. For 'Home Health Aide', the hourly minimum wage increase is dependent on whether the county served is in Upstate/Downstate.							
(12)	Home Care Worker Minimum Wage Increase (eff. 10/1/2022) ² \$2 Home Care Worker Minimum Wage increases depending on category of service.								
(13)	Worker Recruitment & Retention	[(10) + (11) + (12)] * 2.25%							
(14)	Recruitment, Training & Retention Adjustment	[(10) + (11) + (12)] * 4.70%							
(15)	1% Medicaid ATB Increase (eff. 4/1/2022) ²	[(10) + (11) + (12) + (13) + (14)] * 1%							
(16)	Final Rate	(10) + (11) + (12) + (13) + (14) + (15)							

- **Notes:** 1. The regional centered average cost/utilization is equal to the sum of the regional agencies specific cost/utilization floored at 75% and capped at 125% of the regional average cost/utilization.
 - 2. The 1% ATB increase, and \$2 Home Care Worker Minimum Wage increases are applicable for rates effective 4/1/2022 and 10/1/2022, respectively.

Minimum Wage Information

- 2022 rates* include minimum wage add-ons (below the line adjustments) for all years of minimum wage increases.
 - ➤ All NYC employers reached \$15 in 2020
 - ➤ Downstate employers (Nassau, Suffolk, Westchester) reach \$15 in 2022 (\$1 increase in 2022 rates, excluding fringe)
 - ➤ Remainder of State employers reach \$13.20 in 2022 (\$0.70 increase in 2022 rates, excluding fringe)
- 2022 rates also include both the 1% increase, effective April 2022, and the \$2 (excluding fringe) Home Care Minimum Wage increase, effective October 2022

^{*} Nursing Supervision and Administration are excluded as employee salaries exceed minimum wage.



Questions?

Please use the Q&A feature in Webex to submit your questions





2022 Initial Rates Certification or Appeal Process in Updated Web-based Tool

Presented by KPMG Team

Topic	Page
Process for initial rates certification or appeal via the web-based tool	19-20
2020 cost report schedules adjustments to ensure data accuracy	21
Submitting the adjusted report and certification	22-23

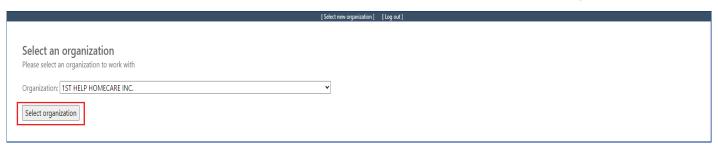


Accessing the 2020 Home Care Web-based Tool

• **Step 1:** Navigate to the Home Care web-based Tool page at the tool link below. Once you enter the link, please select the "2020" option (shown below) and click "Go". https://desoto.certisphere.com/doh/HomeCareDashboard.html.



- Step 2: Enter your username (email address) and password to log into the Tool. If you forgot your password, please click the
 "Password Help?" link on the Web-based Tool log-in page. You will then receive an email containing the steps to reset your password.
 If you have any other difficulties logging in, please send an inquiry to the KPMG Home Care Cost Report mailbox at <u>us-advrisknyshc@kpmg.com</u>.
- Step 3: One you have successfully logged in, you will be prompted to select the agency you wish to appeal/accept the rate for using the drop-down menu as shown below. Click the drop-down option, select the applicable agency, and click "Select Organization."





Rate Certification Tab

- Step 4: Navigate to the "Rate Certification" tab pictured below. Please review the information at the top of this tab carefully. Once the information has been reviewed, enter the name, title, and email address of the executive-level individual completing the certification and use the multiple-choice option to accept or appeal the 2022 Medicaid reimbursement rate(s) communicated to your agency in the "Dear Administrator Letter" from the Department. You may include an explanation for your acceptance or appeal within the text box provided.
- **Step 5**: Submit your acceptance or appeal by clicking the "Submit" button

Instructions	Frequently Asked Questions (FAQ)	Reporting Hierarchy	Cost Report Schedules	General Questionnaire	Cost Report Submission	Documentation Requests	Extensions	Contact Information	Agency Representation	Audit / Questions	Data Representation	Rate Certification	Reporting
The New York Care Cost Re	rtification k State Department of Heport. Please review the @health.ny.gov (for CH	rate(s) commu	nicated to you by	the Department. If	you have not rece	ved this communic	ation, or have qu	estions regarding	g the rate calculation	, please send a	n inquiry with the sub	oject line "2022 rate	
Administrator directed to the submission, the	tions below, please indic Letter (by 7/09/23) to r e "Adjusted Cost Repor the appeal will not be co 020 Cost Report and th	efile Schedules t Schedules" ta ensidered. If the	3, 4, 5, and 7 of the Tool, who Adjusted Cost Re	the 2020 cost reporere you will be requieport is submitted, t	t, within the "Adjus red to complete ar	ted Cost Report So d submit updated o	hedules" tab in t	he Tool. If you ch or Schedules 3, 4	ose to appeal your 2 4, 5, and 7. If the app	022 rate, once eal submission	you select the submit is not accompanied	t button below, you by an adjusted cos	will be at report
CEO, CFO, V	ent requires that the rat /P of Finance, or equiva- de the name and title of	ilent.						ne care agency's	senior management	team. It is stro	ngly recommended th	nat this individual b	e the agency's
Name: Name		Title: Title	lying the 2022 in	Email Address:		Theated by the Dep	arunent.						
	nd accordingly and sub e 2022 Medicaid rates o		e Department										
	e to appeal the 2022 Me lays of receipt of the 20			•	the 2020 cost rep	ort							
Explanation Submit	Su	bmit bu	tton										

Rate Certification Tab (Cont'd)

- **Step 6**: If you would like to specify the specific rate(s) for which you agree or disagree to retain as a reference within the cost report web-based tool, you may complete the table(s) below in the bottom of the tab. **The completion of this section is optional.**
 - Note that one table will appear for each entity type (CHHA, LHCSA, FI) that your agency operates. For example, if your agency operates LHCSA and FI entities, two tables will appear (one for LHCSA rates and one for FI rates).

The following section	on is optional. If your agency would like to further speci	fy the	rate(s)	it agrees	or disagrees	with as a	reference to retain in the Cost Report
web-based tool, yo	u may complete the following section.						
received. Then, please	is a fill out the requested rate information for each CHHA rate receiventer the Medicaid rate dollar value communicated by DOH for the entities and service types, please use the "add row" feature to the	at coun	ty and s	ervice type.	Lastly, please	select "agre	3
ii you operate multiple	entities and service types, please use the "add row" leature to the "	rigrit or		otice rate	W for each rac	e receiveu.	
Operating Certificate	Service Type	c	ommunicated y DOH	Agree/Disagre	ee with the	Comments	
	Select a Service Type		~ ()	● Agree ○	Disagree	xx
	Select a Service Type		~ (○ Agree ●	Disagree	x
	Select a Service Type		~] [)	■ Agree ○	Disagree	
	Select a Service Type		~		O Agree O	Disagree	
Add row							
please enter the Medic	ise fill out the requested rate information for each LHCSA rate rece aid rate dollar value communicated by DOH for that county and se entities and service types, please use the "add row" feature to the	rvice ty	pe. Last	ly, please se	elect "agree" or	"disagree."	
County	Service Type		oursemen	t Agree/Disa	agree with the	Comments	
	Select a Service Type	0			Agree Disagree		
	Select a Service Type	0		Agree	Agree ○ Disagree		
	Select a Service Type			O Agree	O Disagree		
Add row							
	ase fill out the requested rate information for each FI rate received.	_					
•	aid rate dollar value communicated by DOH for that county and se entities and service types, please use the "add row" feature to the					_	
ii you operate multiple	entities and service types, please use the "add row" leature to the	rigiil 0	Medicaio		OW for each ra	te received	
			reimbur	ement Agre	ee/Disagree with		
County	Service Type		rate	rate communicate			ments
	Select a Service Type		0		gree O Disag		
	Select a Service Type	~	0		gree O Disag		
	Select a Service Type	~		OA	gree ○ Disag	ree	
Add row							

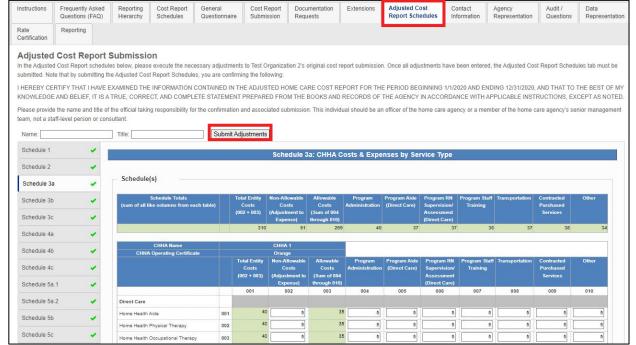


Submitting the Adjusted Cost Report

• Step 7 (for agencies that appeal their rate): After submitting an appeal, you must navigate to the "Adjusted Cost Report Schedules" tab in the Tool (pictured below). This tab will be unlocked for your agency to make changes to Schedules 3, 4, 5, and 7 of the 2020 cost report. Note that the information from your agency's original cost report submission will be copied into this tab, so that you can efficiently execute the adjustments to your original submission.

Once edits are complete, you will need to review the certification at the top of tab to verify the accuracy and completeness of the adjusted data, enter the name and title of the individual certifying and submitting the adjusted cost report, and click the "Submit Adjustments" button (shown in image below). The Adjusted Cost Report is required to be certified and submitted by an officer of the agency or member of the

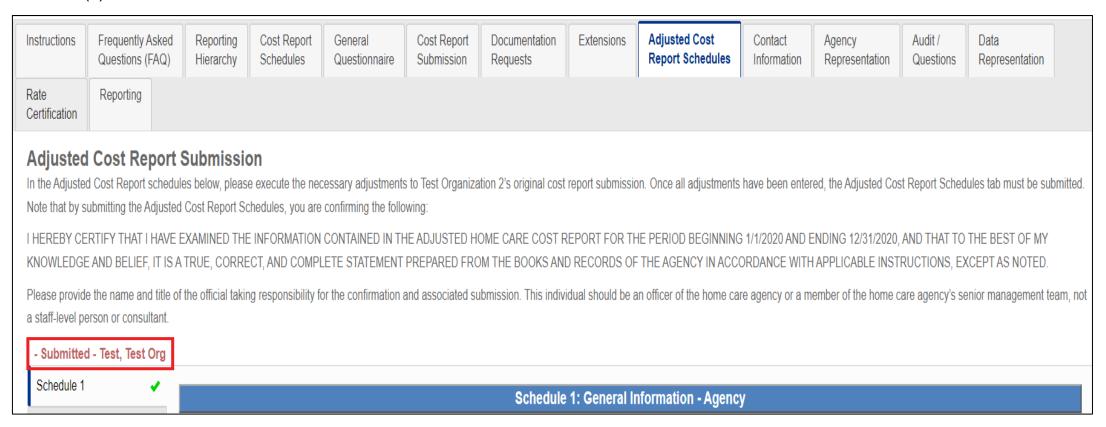
agency's senior management team.





Submitting the Adjusted Cost Report (Cont'd)

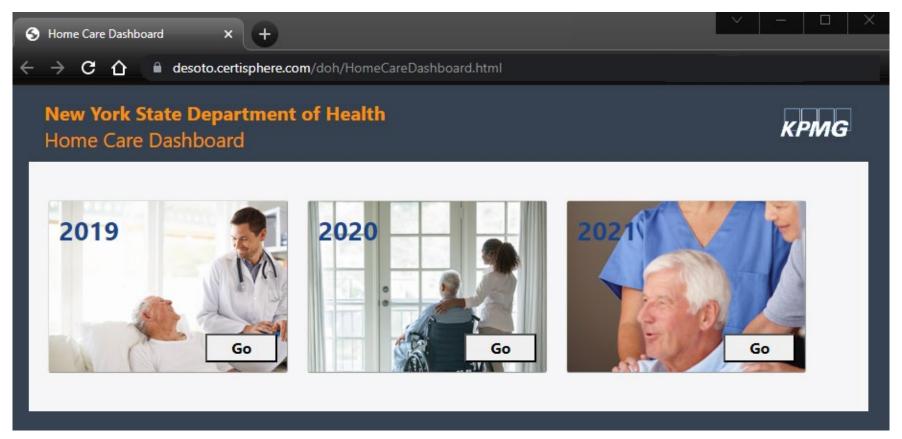
- If the adjusted cost report was successfully submitted, you will see a "submitted" stamp in place of the previous "submit adjustments" button. The adjusted cost report data will be used by the Department to calculate new 2022 rate(s).
 - If the Adjusted Cost Report is not submitted within the 90-day appeal period, the original 2020 Cost Report and the current 2022 rate(s) will be considered final.





Live Demo of Home Care Web-based Tool

Presented by KPMG Team



Resources, Website, and Contact Information

- Home Care Web-based Tool: https://desoto.certisphere.com/doh/HomeCareDashboard.html
- Health Commerce System (HCS):
 https://commerce.health.state.ny.us/public/hcs_login.html
- HCS account login problems: Commerce Accounts Management Unit (CAMU) at 1-866-529-1890



Resources, Website, and Contact Information

- Email Bureau of Nursing Home and Long Term Care Rate Setting:
 - >CHHAs CHHA-Rates@health.ny.gov
 - >LHCSAs and FIs PersonalCare-Rates@health.ny.gov
- NYS DOH, Division of Finance and Rate Setting, Bureau of Nursing Home and Long Term Care Rate Setting websites –
 - https://www.health.ny.gov/health_care/medicaid/rates/dfrs/bltcr.htm
 - https://www.health.ny.gov/facilities/long_term_care/reimbursement/
- NYS DOL Minimum Wage guidance through 2022 rates
 - https://dol.ny.gov/history-minimum-wage-new-york-state



Questions?

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