

101 CMR 412.00: RATES FOR FAMILY TRANSITIONAL SUPPORT SERVICES

Section

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412.01: General Provisions

- (1) Scope. 101 CMR 412.00 governs the payment rates, effective July 1, 2016, for Family Transitional Support (FTS) Services purchased by a governmental unit.
- (2) Disclaimer of Authorization of Services. 101 CMR 412.00 is neither authorization for nor approval of the services for which rates are determined pursuant to 101 CMR 412.00. Governmental units that purchase the services described in 101 CMR 412.00 are responsible for the definition, authorization, and approval of services extended to clients.
- (3) Administrative Bulletins. EOHHS may issue administrative bulletins to clarify its policy on substantive provisions of 101 CMR 412.00.
- (4) Services and Rates Covered by Other Regulations. Payment rates for the following services are not included within the scope of 101 CMR 412.00 and are governed by other regulations promulgated by EOHHS as follows.

Service	Regulation
Client Financial Assistance/Flex Funding Administration	101 CMR 414.00: <i>Rates for Family Stabilization Services</i>

412.02: Definitions

As used in 101 CMR 412.00, unless the context requires otherwise, terms shall have the meanings ascribed in 101 CMR 412.02.

Client. A family that receives Family Transitional Support Services purchased by a governmental unit.

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 where the provider performs the function necessary to successfully administer flexible funding expenditures to families for permissible support services, services, or goods.

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.

Emergency Shelter. A program that provides individuals and families who need to leave an unsafe situation with timely and easy access to shelter within their own communities to help them achieve immediate safety while retaining access to school, work, and other supportive connections. The program must

- (a) allow adults and children to remain connected to informal support from family, friends, counselors, pastors, and others they depend upon in the community; and

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(b) demonstrate the capacity to shelter and serve children as well as adults, and be able to accommodate families requiring assistance with visitation and/or reunification.

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

Family Transitional Support (FTS) Services. A service class of programs that provide families with temporary housing in a specialized congregate or individual setting, to enable stabilization and transition to a safe, permanent, and self-sufficient home environment.

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

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 determines 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.

Lower Facility Cost Program. A program identified by the purchasing governmental unit as having nominal facility related costs due to either donated space or additional funding that covers the cost of the residence.

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).

Residential Housing Stabilization. A program that helps victims and their families find stability within their communities, expand their networks of support, and build their capacity to live independently and securely. Support services help program participants access and maintain permanent housing, access employment and/or attend school, parent their children, and generally prepare for economic independence. Housing may be

- (a) scattered site rental apartments in which families assume the lease once the program has provided the unit;
- (b) condominiums or single family homes purchased by families through home buying assistance provided by the program; or
- (c) apartments in multiple dwelling buildings.

Scattered Site Transitional Apartment Program (SSTAPII). A type of Residential Housing Stabilization program that is either located in donated space or receives additional funding to cover facility costs from the Department of Housing and Community Development (DHCD).

Substance Abuse/Mental Health. Residential programs that help women who are in unsafe situations and are experiencing trauma, addiction, and/or mental health problems to be safe and sober, enhance relationships, and effectively attend to the needs of their children. Domestic violence services must occur in welcoming, safe, and nurturing atmospheres and work to mitigate the profound depth of despair trauma engenders. Providers who can shelter individuals and families in their own community are preferred.

412.03: 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 by the purchasing governmental unit(s).

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(2) Reimbursement as Full Payment. Each eligible provider must, as a condition of payment by any purchasing governmental unit, accept the approved rate as full payment and discharge of all obligations for the services rendered. Payment by the purchasing governmental unit for services rendered to the client are reduced by the amount of any payment by any other source.

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

(4) 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 412.03(4).

Program/Service Type	Rate	Unit
Emergency Shelter: Full program rate	\$161.92	Per room per day
Emergency Shelter: Lower facility cost program	\$147.72	Per room per day
Residential Housing Stabilization: Full program rate	\$87.22	Per room per day
Residential Housing Stabilization: Lower facility cost program	\$72.65	Per room per day
Residential Housing Stabilization: SSTAP II model	\$53.36	Per room per day
Substance Abuse/Mental Health: Full program rate	\$162.94	Per room per day
Substance Abuse/Mental Health: Lower facility cost program	\$148.68	Per room per day
Client Financial Assistance/Flex Funding	I.C.	N/A

412.04: 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.

(b) Examination of Records. Each provider must make available to EOHHS or 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) Penalties. 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.

412.05: Severability

The provisions of 101 CMR 412.00 are severable. If any provision of 101 CMR 412.00 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 412.00 or application of such provisions to eligible providers or fiscal intermediaries in circumstances other than those held invalid.

REGULATORY AUTHORITY

101 CMR 412.00: M.G.L. c 118E.