



HB 391 (2023)

Implementation Update

House Select Committee on Health Innovation

December 4, 2023

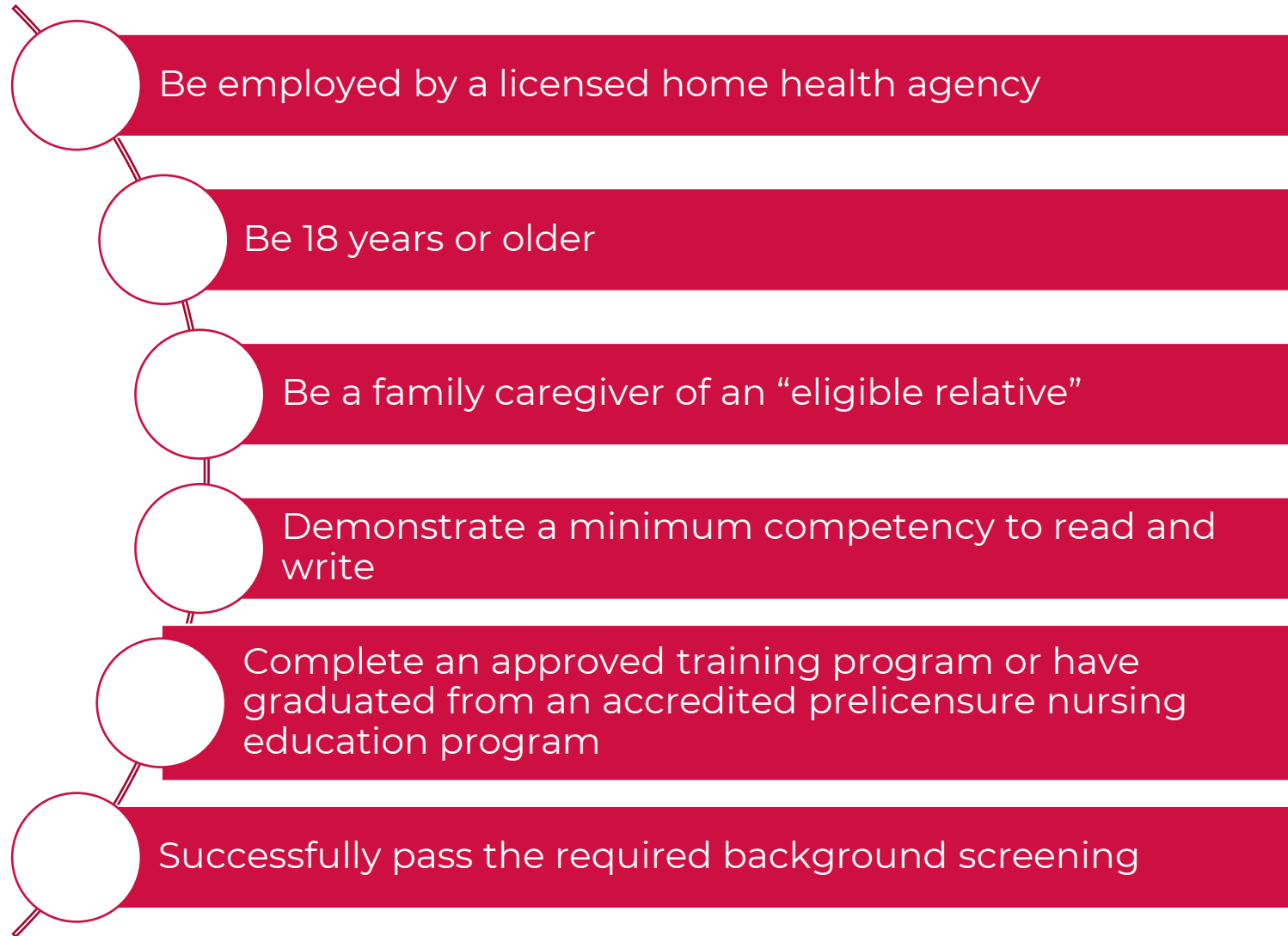
HB 391 (2023) – Home Health Aides for Medically Fragile Children: Key Elements

1	Directs the Agency to allow for a new type of home health agency worker that is a family caregiver of a Medically Fragile Child (home health aide for medically fragile children).
2	Establishes an hourly rate of \$25 per hour, to be paid to a licensed home health agency, for the new home health aides for medically fragile children.
3	Directs the Agency, in consultation with the Board of Nursing, to adopt rules to implement a training program for Home Health Aides for medically fragile children.
4	Directs the Agency to conduct an annual assessment of the new program.
5	Requires the Agency to submit a report on the annual assessment findings to the Governor and the Legislature in January 2025.
6	The Agency received 4 FTEs for implementation.



Key Element #1: Creation of Home Health Aides for Medically Fragile Children

- HB 391 directs the Agency to allow for a new type of home health agency worker, the home health aide for medically fragile children.
- In order to qualify for reimbursement, the new home health aide must:



Key Element #1: Creation of Home Health Aides for Medically Fragile Children

- The new aide will be eligible to provide certain home health services to patients who meet set criteria:

AGE

Patient must be 21 years of age or younger.

CONDITIONS

Patient must have an underlying physical, mental, or cognitive impairment that prevents him or her from safely living independently, and is eligible to receive skilled care or respite care services under the Medicaid program.

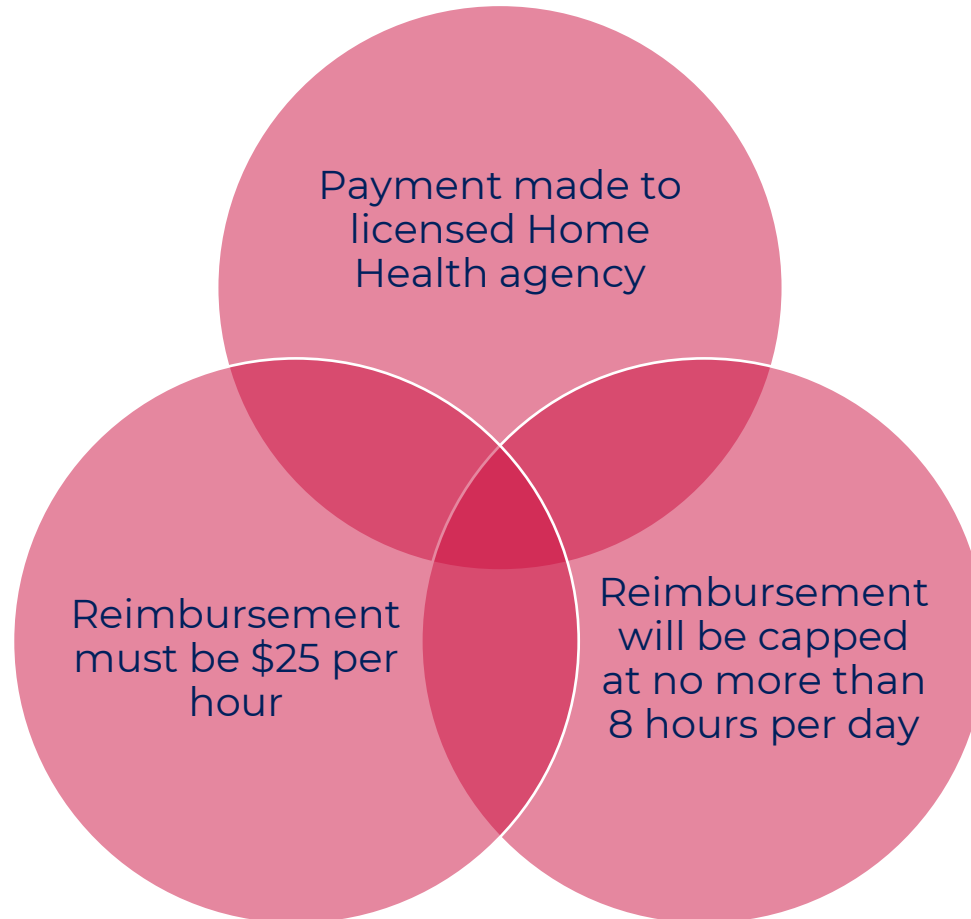
RELATIONSHIP

Patient must be related to his or her family caregiver.



Key Element #2: Established the Rate at \$25 per hour for the New Home Health Aides for Medically Fragile Children

- HB 391 directs the Agency to establish a new Medicaid fee schedule for home health agencies employing a home health aide for medically fragile children.



Key Element #3: HB 391 – Training Program

HB 391 directs the agency, in consultation with the Department of Health's Board of Nursing, to adopt rules to implement this program.

- **The training program must:**

- Train family caregivers as home health aides for medically fragile children.
- Authorize persons to provide trained nursing services as delegated by a registered nurse to eligible relatives.
- Be developed in accordance with 42 C.F.R. ss. 483.151-483.154 and 484.80.
- Ensure that a parent, guardian, or family member who is seeking training required under s. 400.4765 to become a home health aide for medically fragile children is not required to repay or reimburse the home health agency for the costs associated with the home health aide for medically fragile children training program.



Key Element #4: Annual Assessment

- HB 391 includes the requirement that the Agency conduct an annual assessment of the new program. The report must:



Key Element #5: Report of Annual Assessment Findings

- HB 391 requires the Agency to report, by January 1 of each year, beginning January 1, 2025, the findings from the annual assessment of the program to the Governor, the President of the Senate, and the Speaker of the House of Representatives.



Creation of Home Health Aides for Medically Fragile Children: Status

Steps to Implementation	Status
<p>Medicaid systems update to allow home health agencies to bill for services provided by home health aides for medically fragile children.</p>	<p>The Agency is working with its vendors to ensure systems updates are ready to go live once rulemaking related to licensure is complete.</p>
<p>Amend the Medicaid State Plan (SPA) to incorporate changes for home health aides for medically fragile children.</p>	<p>The Agency has drafted an amendment to the Medicaid State Plan to incorporate licensure rulemaking by reference. The SPA will be finalized and submitted to the Centers for Medicare and Medicaid Services (CMS) once licensure rulemaking is completed.</p>



Establishes the Rate at \$25 per hour for the New Home Health Aides of Medically Fragile Children: Status

Steps to Implementation	Status
<p>Update the Medicaid home health/private duty nursing (PDN) fee schedule to reflect the new rate of \$25 per hour for the new home health aides for medically fragile children.</p>	<p>The Agency has drafted the updates needed for the PDN Fee Schedule to allow home health agencies to be reimbursed for services provided by home health aides for medically fragile children. The updated fee schedule can be promulgated once licensure rulemaking has concluded.</p>



Health Care Policy and Oversight Implementation: Status

Steps to Implementation	Status
Training Program	Draft rule language created.
Consultation with the Department's of Health Board of Nursing	Meeting scheduled for December 2023.
Hiring of 4 FTEs	All positions are advertised.

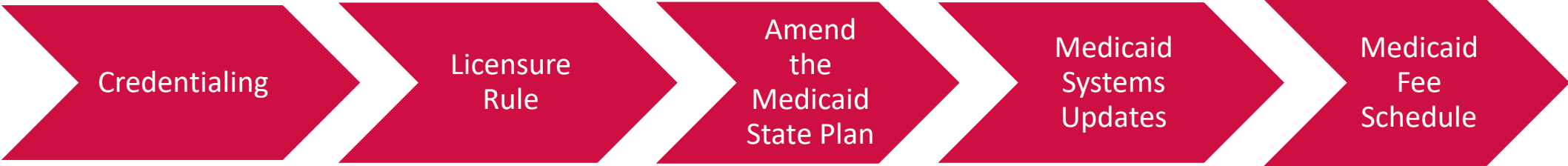


Health Care Policy and Oversight Implementation: Status

Steps to Implementation	Status
Develop an annual assessment of the home health aides for medically fragile children.	Pending final rule adoption
Conduct the annual assessment to the home health aides for medically fragile children.	Pending final rule adoption
Submit the annual assessment report findings to the Governor and Legislature by January 1, 2025.	Due January 1, 2025



Timeline



Question?

