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## DSS Releases *Proposed* FQHC Reimbursement Regulations

On November 29, 2013, the Connecticut Department of Social Services (“DSS”) published proposed regulations regarding the requirements Federally Qualified Health Centers (“FQHCs”) must adhere to in order to receive Medicaid reimbursement for the services they provide to Medicaid beneficiaries (the “Proposed Regulations”). A copy of the complete set of Proposed Regulations can be read at [http://shipmangoodwin.com/files/24828\\_Proposed%20FQHC%20Reimbursement%20Regulations.pdf](http://shipmangoodwin.com/files/24828_Proposed%20FQHC%20Reimbursement%20Regulations.pdf).

The Proposed Regulations reflect DSS’ attempt to provide FQHCs the desired details and guidance surrounding such reimbursement requirements. Once finalized, these regulations will permit FQHCs to plan ahead and deal with DSS audit and reimbursement issues on a prospective rather than retrospective basis.

- **Brief Summary of the Proposed Regulations:** As currently drafted, the Proposed Regulations include specifics and requirements, among other things, regarding: (a) what services are covered and billable as “encounters”; (b) what services are included in the “encounter rate” and, thus, cannot be billed separately; (c) the billing requirements and methodology for calculating the encounter rate; (d) the process by which an FQHC may request an adjustment of its encounter rate based upon a change in scope of services; (e) the establishment of an FQHC group rate for group psychotherapy and group counseling sessions; (f) prior authorization requirements; and (g) documentation, supervision and audit requirements.
- **Opportunity to Provide Comments and/or Attend Hearing:** All interested persons who wish to present their views, questions, or concerns regarding these Proposed Regulations may do so at a public hearing to be held on December 19, 2013 from 1:00 to 2:30 in Conference Room 3 on the Mezzanine Level, at DSS, 25 Sigourney Street, Hartford, CT. In addition, all written comments regarding these regulations may be submitted by December 29, 2013 to the Department of Social Services, Office of Legal Counsel, Regulations, and Administrative Hearings, 25 Sigourney Street, Hartford, CT 06106; Attention: Brenda Parrella. Parties who wish to submit written comments should refer to Regulation Control # 12-24/MD in their correspondence.

Should you have any questions about this alert or any DSS reimbursement or audit issues in general, please contact any member of Shipman & Goodwin’s [Health Law Practice Group](#).

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