



The Campaign to **STRENGTHEN
HUMAN SERVICES**
IMPROVE CARE • RETAIN QUALITY STAFF
ENHANCE ECONOMIC IMPACT

UPDATE: More information on Chapter 257 Tier 3 rates

Dear Members:

Earlier this week, we alerted you to an issue with Tier 3 rates contained in the Settlement Agreement between the state and *The Collaborative*. This was entered into to resolve past implementation issues under Chapter 257 of the Acts of 2008.

As part of the agreement, *The Collaborative* interpreted the settlement agreement to include a 3.75 percent increase received in FY '16 to be annualized and included in the base going forward. Our understanding is that some programs have appropriately used this increase to provide essential staffing, salary levels and program areas that are critical to providing services. The state asserts the 3.75 percent payment made to you in FY '16 was a one-time payment and should not be added to the base of contracts.

The Providers' Council, ABH, ADDP and the Children's League will continue to have conversations with EOHHS regarding this issue with Tier 3 rates. However, as the beginning of the fiscal year starts July 1, we advise you to carefully manage your expenditures and make adjustments that are in the best interest of your organizations.

As we continue these conversations and FY '17 begins today, we ask that you do two things:

1. Please consider what adjustments you may need to make to programs to accommodate the reduced rate from the state. Please discuss these adjustments and information with your purchasing agency in regard to the level of service you'll be able to provide and/or how the quality of such services may be affected due to the reduced rate.
2. Add the following language to any contract you execute: "***The execution by _____ of this contract does not constitute an acknowledgment that the funding level provided under the contract is correct or in accordance with applicable law, and _____ reserves all of its rights concerning its FY '17 funding levels.***"

We will continue to work with the administration to resolve this issue, and we hope to have more information for you. For those of you unclear on the particular Tier 3 rates, activity codes and categories, they are:

- DMH
 - Program of Assertive Community Treatment (3031)
 - Respite Care Services (3048)
 - Recovery Learning Community (3014)
 - Adult Contracted Inpatient (3090)
 - Day Services (3068)
 - Community Based Flexible Supports (3054)

- Individual Support (3056)
 - Community Rehabilitative Support (3059)
- DDS
 - Emergency Stabilization Residence (3182)
 - Clinical Team - Mental Health Evaluations (3170)
 - Corporate Rep Payee (3274)
- DCF
 - FBS Clinical (FBSC)
 - Young Parent Support; Community Connections (FBSS)
 - Comprehensive Emergency Services (CSSE)
 - Protective Investigations (CSSI)
 - Residential Shelter (RESS)
 - DV Community Based (DVCB)
 - Family Network Lead Agency (FNLA)
- DYS
 - Alternative Lock-Up (2507)
- MCD
 - Independent Living Service (2451)
- MRC
 - VR Independent Living (2208)
- DPH
 - Teen Pregnancy Prevention (3438)
 - Recovery High School (4927)
 - Environmental Health Assessment (4828)
 - SASI - Substance Abuse Shelter for Individuals (3389)
 - BSAS Supportive Case Management (4956)
 - Tewksbury Stabilization and Transportation (3329)
 - Youth Search (3382)
 - Youth Intervention Programs (4936)
 - Office Based Opioid Treatment Services (4929)
 - Batterer Intervention Program (3486)
 - Sexual Assault Prevention & Services (3361)
 - LGBT Domestic Violence Response (4785)
 - Refugee and Immigrant Safety (4749)
 - HIV/AIDS Corrections to Community Reintegration program (4915)
 - OHA HIV/AIDS Case Management and Health Related Support (4955)
 - HIV Prevention, Testing and Referral Services (4950)
- ELD
 - Guardianship (8010)
 - Money Management Assistance (8005)
- DTA
 - ESP - Young Parents Program (2833)

If you have any questions about this action, please feel free to contact one of us listed below.

On behalf of *The Collaborative* Steering Committee,

Michael Weekes, Providers' Council
 Vic DiGravio, ABH
 Gary Blumenthal, ADDP
 Erin Bradley, Children's League