



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

CHAPTER 257 WATCH

Exercising Our Rights

FLURRY OF APPEALS INDICATES REFORM IS WORKING

The Promise of Chapter 257

Four years ago passage of Chapter 257 held the promise that Massachusetts would finally offer its human service providers fair and adequate rates.

At the time, we knew we weren't going to wake up one day to find the arcane, complex tangle of a rate-setting system magically fixed. All along, we recognized that implementation would be a long process that would take years to complete.

But in 2008, the inevitable hard work that lay ahead was never disheartening. That was because, with Chapter 257 signed into law, we knew our rights were protected. That is never a bad place to be. As long as we practiced due diligence, the strength and clarity of the law's provisions meant that real rate-setting reform and implementation was within our control and our reach.

Road Testing a Key Provision

One such provision that was essential to ensuring proper implementation was the right for providers to appeal the Commonwealth's rate-setting decisions. Before Chapter 257, of course, providers had no such recourse.

Over the last two months, as the Commonwealth has set rates for ATS detox services (purchased by the Department of Public Health), and Clubhouse services (purchased by the Department of Mental Health), the value of this provision has been put to the test.

In both instances, providers came forward to argue that the Commonwealth's rates were not sufficient for covering the

Chapter 257 Watch

In this ongoing series, *The Collaborative* offers the latest developments as the state proceeds with implementing the landmark Chapter 257 law and examines what implementation will mean for the human services industry in Massachusetts.

Chapter 257 Links

[Mass. Information Site](#)

[Implementation Plan](#)

[Meetings and Events](#)

[The Bill](#)

[Executive Order No. 536](#)

What is the Collaborative?

The Collaborative is a coalition of the state's three major human service provider trade groups. They joined forces a decade ago primarily to champion rate-setting reform and ensure a bright future for the

cost of providing services, as required under Chapter 257.

In the case of ATS, three provider organizations filed appeals with the Division of Administrative Law Appeals (DALA), disputing the rates they were offered. Likewise, 28 clubhouse programs just in the last month also filed appeals of their new rates. No matter the outcome, we applaud these providers for exercising their right of appeal.

A Sign of Strength

Some may cast these occurrences as an indication that something is wrong with Chapter 257 implementation.

Nothing could be further from the truth. These appeals are proof that the rate-setting law is working as it should, affording protection for the rights of the 1,100 human services agencies that deliver essential services and make up such a crucial part of the Commonwealth's economy and workforce.

Certainly, providers do not enjoy having to exercise their hard-fought rights through appeals. But doing so is both necessary and good.

The fact that providers are taking advantage of the appeals process is just another signal that Chapter 257 continues to work to ensure fairness in rates for all providers. Ultimately, this latest development is another huge step forward in the march toward fair and adequate rates for all.

industry. Its members include [The Providers' Council](#), [The Association for Behavioral Healthcare](#) and [The Association of Developmental Disabilities Providers](#)

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