

2024 -- S 2071

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

J O I N T R E S O L U T I O N

**TO AMEND THE MEDICAID SECTION 1115 DEMONSTRATION WAIVER REQUESTS
AND RENEWALS**

Introduced By: Senators Miller, Valverde, Lauria, DiMario, and Ujifusa

Date Introduced: January 12, 2024

Referred To: Senate Health & Human Services

1 WHEREAS, The General Assembly enacted Chapter 12.4 of Title 42 entitled “The
2 Rhode Island Medicaid Reform Act of 2008”; and

3 WHEREAS, A legislative enactment is required pursuant to Rhode Island General Laws
4 42-12.4-1, et seq.; and

5 WHEREAS, Rhode Island General Laws § 42-7.2-5(3)(i) provides that the Secretary of
6 the Executive Office of Health and Human Services is responsible for the review and
7 coordination of any Medicaid section 1115 demonstration waiver requests and renewals as well
8 as any initiatives and proposals requiring amendments to the Medicaid state plan or category II or
9 III changes as described in the demonstration, “with potential to affect the scope, amount, or
10 duration of publicly-funded health care services, provider payments or reimbursements, or access
11 to or the availability of benefits and services provided by Rhode Island general and public laws”;
12 now therefore be it

13 RESOLVED, That, in pursuit of a more cost-effective consumer choice system of care
14 that is fiscally sound and sustainable and that reduces the number of days behaviorally complex
15 patients spend in acute care facilities, the legislature approves the following pilot proposal to
16 amend the demonstration:

17 Implement a behavioral health per diem add-on rate of one hundred seventy-five dollars
18 (\$175) for up to one hundred (100) complex patients with behavioral conditions who reside in a
19 nursing facility, have a history of frequent utilization of acute care facilities, and are Medicaid

1 recipients with medically-based mental health or behavioral disorders demonstrating significant
2 behaviors as shown in a minimum of thirty (30) days of clinical behavioral documentation of
3 behavioral health conditions, and the nursing facility is Medicaid certified to provide or facilitate
4 enhanced levels of behavioral healthcare; and be it further

5 RESOLVED, That the Secretary of State be and hereby is authorized and directed to
6 transmit duly certified copies of this resolution to the Governor of the State of Rhode Island, the
7 Rhode Island Department of Health, and to the Rhode Island Executive Office of Health and
8 Human Services.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
JOINT RESOLUTION
TO AMEND THE MEDICAID SECTION 1115 DEMONSTRATION WAIVER REQUESTS
AND RENEWALS

- 1 This joint resolution would approve an amendment to a Medicaid section 1115
- 2 demonstration waiver and renewals regarding a pilot proposal to reduce the number of days
- 3 behaviorally complex patients spend in acute care facilities.

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