



**Memphis Transitional Grant Area (TGA)  
Part A Program Policy**

**Imposition & Assessment of Client Charges**

**Authority:** Ryan White Legislation (§2605 (e)(F)(A), §2605 (e)(1)(B), §2065 (e)(1-4)(C-F)), Part A Agreement and Compliance Assurances, HRSA Notice of Funding Opportunity, Shelby County Ryan White Contract

**Policy Statement:** To ensure compliance with federal requirements related to the imposition and assessment of charges to clients for services provided under the Ryan White Part A authorizing language, every Ryan White Part A funded subrecipient must develop, implement, and adhere to the following policies:

1. If the subrecipient charges other clients or other payers, such as health insurers, for a service, the subrecipient must impose the same charge for all clients. Subrecipient must have policies and procedures that specify charges to clients for services, which may include a documented decision to impose only a nominal charge.
2. If a subrecipient charges for services, it must do so on a sliding fee schedule for Ryan White clients that is available to the public and is based upon established fees that are reasonable and necessary. Establishing a fee schedule should not result in a bureaucratic system to means-test individuals or families before Ryan White supported services are available. The sliding fee schedule must be displayed in a conspicuous location(s) available to clients.
3. No charges may be imposed on clients with incomes below 100% of the Federal Poverty Level (FPL). Subrecipient must have a written statement that no client is denied services due to an inability to pay.
4. Annual limitation on the amounts of charges (i.e. caps on charges) for Ryan White services is based on the percent of the client's annual income, as follows:
  - a. 5% for patients with incomes between 100% and 200% of FPL
  - b. 7% for patients with incomes between 200% and 300% of FPL
  - c. 10% for patients with incomes greater than 300% of FPLThe cap on charges must be displayed in a conspicuous location(s) available to clients.
5. The subrecipient must ensure that personnel are aware of, and consistently follow, the policy for schedule of charges and the cap on charges.
6. Subrecipient must have a written policy statement that no Ryan White client is denied care due to an inability to pay. Subrecipient shall have billing, co-pay, and collection policies and procedures that do not:
  - a. Deny services for non- payment
  - b. Require full payment prior to service
  - c. Include any other procedure that denies services for non-payment



7. The subrecipient will establish and maintain a sliding fee schedule and a policy that includes a cap on charges with the following:
  - a. Responsibility for client eligibility determination to establish individual fees and caps.
  - b. Tracking of Ryan White charges or medical expenses inclusive of enrollment fees, deductibles, co-payments, etc.
  - c. A process for alerting the billing system when the client has reached the cap and should not be further charged for the remainder of the year.
  
8. Subrecipient must ensure that personnel are aware of, and consistently follow, the policy for schedule of charges and the cap on charges.

### **Monitoring**

1. The Shelby County Ryan White Part A Program Office shall monitoring this policy by:
  - a. reviewing subrecipient policies to ensure they meet legislative requirements, including the schedule of charges and sliding fee scale to ensure they meet legislative requirements and cap on charges.
  - b. reviewing client records and documentation of actual charges and payments to ensure the policy is being correctly and consistently enforced.
  - c. reviewing accounting system and records of charges and payments to ensure compliance with sliding fee scale requirements and cap on charges requirements and review client records for eligibility determination to ensure consistency with policies and federal requirements.
  - d. verifying that the schedule of charges, the sliding fee scale, and the cap on charges is displayed in a conspicuous location(s) available to clients
  - e. reviewing the policy indicating that Ryan White clients will not be denied services based on inability to pay and documentation reflecting annual acknowledgement of enrollment staff and fiscal staff of this policy.