**Section 240.1920 Contract Specific Variations**

The Department will consider reimbursing a provider at a rate other than the established fixed unit rate to compensate for contract specific variations in cost. This consideration will be made under the following circumstances:

a) Evidence suggests that a contract area currently served by a provider will become "unserved" due to inadequate reimbursement by the State to cover costs. An adjusted rate will be used only after the "emergency contracting process", as defined in Section 240.1605, has shown that no provider offered an emergency contract is willing to provide service in the contract area at the established fixed unit rate. The adjusted rate will then be determined through the competitive procurement process as defined in Section 240.1605.

b) Once a contract area has established an adjusted rate, that rate shall be effective until a new procurement process has been initiated.

c) The adjusted rate contractor must still meet the requirements for an in-home service provider as stated in Sections 240.2020 and 240.2040.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)