



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
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NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, three public hearings will be held on Wednesday, November 30, 2016, in the First Floor Conference Room, 100 Hancock Street, Quincy, MA, each at the respective time relative to the adoption of:

- 1) **10:00 a.m.: 101 CMR 421.00: Rates for Adult Housing and Community Support Services** M.G.L. Chapter 118E, § 13D, requires EOHHS to establish and biennially update the rates to be paid by governmental units for social service programs. In accordance with this statutory requirement, the proposed amendments update the rates to be paid by governmental units for Adult Housing and Community Service Supports. The proposed amendments update rates for the dual diagnosis shelters, a social service program supported by the Department of Mental Health (DMH), by a cost adjustment factor of 3.11%. This proposed regulation is planned to go into effect no sooner than July 1, 2017. There is no fiscal impact to cities and towns.
- 2) **11:00 a.m.: 101 CMR 204.00: Rates of Payment to Resident Care Facilities** M.G.L. c. 118E, § 13D, requires EOHHS to annually establish rates of payment for rest homes as of October 1st of each year and use a base year cost from within four years prior to the current rate year. Additionally, outside section 154 of the FY 2017 budget allows for rest home rates "effective October 1, 2016 under section 13D of chapter 118E of the General Laws to be developed using the costs of calendar year 2007 or any subsequent year as determined by the secretary." In accordance with the statutory requirements, the proposed amendments establish the rest home rates, with no change from existing rates, for the 2016–2017 rate period and are established using 2012 base year costs. There is no anticipated fiscal impact. The proposed effective date of the amendments to this regulation is October 1, 2016.
- 3) **12:00 p.m.: 101 CMR 345.00: Temporary Nursing Services.** M.G.L. c. 118E, § 13D, requires EOHHS to annually establish the maximum rates that hospitals and nursing facilities may pay for services provided by temporary nursing agencies licensed with the Department of Public Health (DPH). In accordance with this statutory requirement, the proposed amendments to this regulation update the maximum rates using 2012 cost data provided by health care facilities for the wage component and 2013 cost data provided by temporary nursing agencies for the administrative component. EOHHS estimates that the change in rates will result in a decrease of approximately 0.42% out of a total of \$88.5 million in annual industry revenues. Hospital spending is estimated to decrease by 0.48% or \$371,975 and annual nursing facility spending is estimated to increase by .02% or



\$1,846. EOHHS is not proposing to change the administrative component percentage of 35.43% or the profit factor of 5.31%. There is no fiscal impact to the Commonwealth or to cities or towns. The proposed effective date of the amendments to this regulation is December 1, 2016.

Individuals who notify EOHHS of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers may notify EOHHS of their intention to testify at the hearing by registering online at www.mass.gov/eohhs/gov/laws-regs/hhs/public-hearings.html. Individuals may also submit written testimony by e-mailing ehs-regulations@state.ma.us. Please submit electronic testimony as an attached Word document or as text within the body of the e-mail with the name of the regulation in the subject line. All submissions must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by e-mail should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on Wednesday, December 7, 2016.

All persons desiring to review the current draft of the proposed actions may go to www.mass.gov/eohhs/gov/laws-regs/hhs/public-hearings.html or request a copy in writing or in person from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171. To view or download related supporting materials, go to www.mass.gov/eohhs/provider/contracting/chap257/proposed-regs-materials.html.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by e-mail at masshealthhelp@ehs.state.ma.us or by phone at 617-847-3468 (TTY: 617-847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

November 4, 2016