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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, a public hearing will be held on Friday, January 20, 2017, at 1:00 p.m. in the First Floor Conference Room, 100 Hancock Street, Quincy, MA relative to the emergency adoption of:

101 CMR 350.00: Home Health Services

and the emergency repeal of:

114.3 CMR 50.00: Home Health Services

The regulations will go into effect as an emergency on January 1, 2017.

101 CMR 350.00 governs payment rates for home health services provided to publicly aided individuals by governmental units.

The proposed regulation 101 CMR 350.00 establishes the rates of payment for Home Health Services provided by MassHealth providers; and is in accordance with MGL Chapter 118E, Section 13D, which requires EOHHS to establish rates for health care services to be paid by governmental units.

Promulgation of the proposed regulation will be simultaneous with rescission of the existing rate regulation for Home Health Services at 114.3 CMR 50.00. The rescission of 114.3 CMR 50.00 reflects the statutory transfer of the authority for rate setting and regulation promulgation for health services from the former Division of Health Care Finance and Policy to EOHHS.

The proposed amendments that update the rate schedule include a rate reduction for skilled nursing services provided on or after 61 calendar days and an increase in the rate for continuous skilled nursing services and are effective January 1, 2017.

The proposed amendments that update the rate schedule to include a three-tier rate structure is effective July 1, 2017. The three-tier rate structure includes: a post-acute rate for the first 30 days of service; a short-term chronic rate from 31 – 180 days; and a long-term chronic rate for visits after 180 days. There is no fiscal impact on cities and towns.

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 Friday, January 20, 2017.

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.

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.

December 30, 2016