



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD, PhD
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

TO: BUREAU OF SUBSTANCE ADDICTION SERVICES LICENSED AND APPROVED PROVIDERS

FROM: DEIRDRE CALVERT, DIRECTOR, BUREAU OF SUBSTANCE ADDICTION SERVICES

SUBJECT: SATELLITE OFFICES IN OUTPATIENT SUD TREATMENT SERVICES

DATE: APRIL 19, 2023

This document is intended to issue guidance to all Licensed and Approved Providers by the Massachusetts Department of Public Health's (DPH) Bureau of Substance Addiction Services (BSAS) regarding the interpretation of satellite offices in outpatient substance use disorder (SUD) treatment services.

BSAS encourages stakeholders with specific questions to contact your Regional License Inspector: <https://www.mass.gov/service-details/information-for-licensed-substance-use-disorder-treatment-programs>

BSAS encourages all providers to review the new regulation in its entirety, which may be found at the following link: <https://www.mass.gov/regulations/105-CMR-16400-licensure-of-substance-abuse-treatment-programs>

The Department has revised sections of 105 CMR 164.000 with the purpose of allowing Licensed and Approved providers flexibility and reducing administrative burdens. As such, it is the interpretation of the Department that satellite offices may be utilized in all outpatient SUD treatment service settings. Clarification below is intended to support providers in operating efficiently and resourcefully in outpatient settings while also ensuring quality patient care.

Definition of Satellite Office

Per 105 CMR 164.005, a Satellite Office is an office operating at a site physically separate from the main premises of a Licensed or Approved Provider that provides outpatient substance use

disorder treatment services. A satellite office must be open to patients at least 20 hours per week and must offer a minimum of 40 staff hours a week of substance use disorder treatment services.

Satellite Offices in Outpatient SUD Treatment Settings

Outpatient Services encompass provision of services to patients who can participate in organized ambulatory services including withdrawal symptom management, day treatment services, counseling, educational services for driving under the influence first offenders, second offender aftercare and office-based opioid treatment (OBOT). Any Licensed and Approved Outpatient SUD Treatment Provider may utilize satellite offices, so long as the Provider meets all applicable staffing and service requirements for the satellite office setting.

Satellite Offices may be utilized in the following outpatient treatment settings: Outpatient Counseling, Outpatient Withdrawal Treatment, Office-based Opioid Treatment (OBOT), and Acupuncture Withdrawal Management Treatment.

- Providers must ensure clinical and medical supervision and oversight during business hours by appropriately licensed staff qualified to deliver supervision. Supervision shall be documented at each Satellite Office.
- Providers must ensure operational oversight of all Satellite Offices. The structure and relationship between Satellite Offices and Main Sites must be sufficient to ensure operational oversight.
 - The structure should allow for a Program Director and Clinical Director to be able to provide direct day-to-day operational oversight at each Satellite Office associated with a license or approval.
 - For example, it would not be feasible for a Program Director and Clinical Director of an Outpatient SUD Treatment Program, at a Main Site located in Boston, to administer daily operational oversight of twenty Satellite Offices in various regions across the State.
- Per 105 CMR 164.048 (A) (1) A program director shall administer the day-to-day operations of the facility and who shall be on the premises during regular business hours. In their absence a professional staff person shall be designated to act in their place. The Licensed or Approved Provider shall provide the designee with contact information for the administration in the event of an emergency.
- Providers shall establish a sufficient staffing pattern at each Satellite Office to meet the program's patient needs, which includes paid staff in numbers, qualifications, and shift coverage to ensure: (1) required services are provided; (2) safety of patients and staff; and (3) the Satellite Office operates in accordance with 105 CMR 164.000.
- Per 105 CMR 164.008 Application Submission an application must be submitted through the BSAS eLicensing Virtual Gateway to add a Satellite Office.

- Per 105 CMR 164.011 Issuance of Licenses and Approvals A Satellite Office must be inspected by a BSAS Licensing Inspector prior to being added to a License or Approval.
- Per 105 CMR 164.039 (C) Nondiscrimination and Accommodation All program space, including satellites and medication units, used for patients or residents shall be accessible to individuals with disabilities and shall comply with all federal, state, and local requirements for accessibility.

Applicable Outpatient SUD Treatment Regulations

164.201: Scope

Provisions of 105 CMR 164.202 through 164.205 apply to outpatient substance use disorder treatment services provided by Programs. The Licensed or Approved Provider shall also comply with all provisions of 105 CMR 164.000: Part One. A Licensed or Approved Provider that meets the requirements for a determined service type under 105 CMR 164.200 through 105 CMR 164.280 may also deliver other outpatient service types, provided that the Licensed or Approved Provider meets all applicable staffing and service requirements for each additional service type.

164.205: Hours of Operation

The program shall be open to provide services 40 hours per week. At least seven hours shall be at a time other than between 9:00 A.M. to 5:00 P.M. Monday through Friday. **Satellite office shall be open to patients at least 20 hours a week and offer more than 40 staff hours a week of substance use disorder treatment services to patients.**

164.206: Outpatient Withdrawal Treatment Services

Provisions of 105 CMR 164.206 through 105 CMR 164.209 apply to outpatient substance use disorder withdrawal management treatment services. The Licensed or Approved Provider shall also comply with all provisions of 105 CMR 164.000: *Part One*, **105 CMR 164.201 through 105 CMR 164.205**, and, for any Licensed or Approved Provider who is also a federally certified Opioid Treatment Provider, the provisions of 105 CMR 164.300 through 105 CMR 164.317.

164.250: Office-based Opioid Treatment

Provisions of 105 CMR 164.250 through 164.260 in addition to provisions of 105 CMR 164.000: Part One and **105 CMR 164.201 through 105 CMR 164.205**, apply to all licensed or approved for Office-based Opioid Treatment.

164.240: Acupuncture Withdrawal Management Treatment Services

Provisions of 105 CMR 164.241 through 164.245 apply to acupuncture withdrawal management services. The Licensed or Approved Provider shall also comply with all provisions of 105 CMR 164.000: Part One and **105 CMR 164.201 through 105 CMR 164.205**, and, for any Licensed or Approved Provider who is also a federally certified Opioid Treatment Provider, the provisions of 105 CMR 164.300 through 105 CMR 164.317.