



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Care Safety and Quality  
99 Chauncy Street, Boston, MA 02111

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**Circular Letter: DHCQ 15-12-652**

**TO:** Adult Day Health Program Administrators and Licensees

**FROM:** Eric Sheehan, JD  
Interim Director, Bureau of Health Care Safety and Quality

A handwritten signature in blue ink, appearing to read "Eric Sheehan".

**DATE:** December 23, 2015

**RE:** Adult Day Health Waiver Submissions

On January 2, 2015, the Massachusetts Department of Public Health (Department) promulgated 105 CMR 158.000 for licensure of Adult Day Health Programs (Programs) operating or seeking to operate in Massachusetts.

To be considered in compliance with these regulations, a Program operating prior to January 2, 2015 is required to have submitted an attestation of compliance to the Department on or before May 1, 2015, as specified in guidelines of the Department. The attestation must have identified the Program's areas of compliance and areas of non-compliance and described the Program's plan of action to achieve full compliance by January 2, 2016, or to seek waivers in accordance with 105 CMR 158.029(B) by January 2, 2016.

The Department is extending the time to meet the requirements in the year since the regulation became effective. Therefore, to implement the regulatory scheme for Adult Day Health, the Department is extending the time for submissions of all waivers to June 1, 2016. Additionally, if a waiver request has been previously denied, a Program may resubmit its request by June 1, 2016 for reconsideration.

Waiver request forms may be found online at:

<http://www.mass.gov/eohhs/docs/dph/quality/hcq-plan-review/physical-plant-waiver-form.pdf>

A complete copy of the adult day health licensure regulations may be found online at:

<http://www.mass.gov/courts/docs/lawlib/104-105cmr/105cmr158.pdf>

Additional information regarding the licensure process is posted on-line at:

<http://www.mass.gov/eohhs/docs/dph/quality/hcq-circular-letters/2015/dhcq-1503629.pdf>

For additional information, or assistance with the waiver request process, contact the Department at 617-753-8000 and ask to speak to a member of the Licensure Processing Unit. Questions regarding clinical or programmatic matters should be directed to the Division of Health Care Facility Licensure and Certification's Assistant Director of Survey Operations at 617-753-8222 or the Regional Supervisor for Adult Day Health at 617-753-8224.