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**Administrative Bulletin 23-11**

**101 CMR 204.00: Rates of Payment to Resident Care Facilities**

Effective May 1, 2023

**Anticipated Updates to COVID-19 Surveillance Testing Payments for Resident Care Facilities**

**Background**

EOHHS is issuing this administrative bulletin, which supersedes any relevant provisions in Administrative Bulletins 20-73, 20-81, and 20-90 (available on the [2020 EOHHS Administrative Bulletins](#) page), and 21-09, 21-13, and 21-21 (available on the [2021 EOHHS Administrative Bulletins](#) page), to align with the announcement by the Department of Public Health (DPH) related to discontinuance of the surveillance testing requirements after March 31, 2023. See [Update to Caring for Long-Term Care Residents during the COVID-19 Response, including Visitation Conditions, Communal Dining, and Congregate Activities](#).

This administrative bulletin is being issued pursuant to 101 CMR 204.09(1)(d) and (4). The requirements of this administrative bulletin are effective beginning May 1, 2023.

**Anticipated End of Surveillance Testing Payments**

Following the updated DPH guidance, EOHHS does not intend to issue surveillance testing payments after April 30, 2023. The payment provision end date is expected to be promulgated through forthcoming amendments to 101 CMR 204.00: *Rates of Payment to Resident Care Facilities* promulgated pursuant to M.G.L. Chapters 118E and 30A.

**Continuing Surveillance Testing Requirements Prior to May 1, 2023**

The requirements for surveillance testing payments described in AB 21-21 continue in full effect for payments made prior to May 1, 2023, including, but not necessarily limited to, requirements for resident care facilities to facilitate tests, reporting and attestation requirements, and disallowance of payment provisions.

**EOHHS Website**

This administrative bulletin is available on the [2023 EOHHS Administrative Bulletins](#) web page.

To receive email alerts when EOHHS issues new regulatory actions, sign up at the [EOHHS regulatory email notifications web page](#).

**Questions**

If you have questions about the information in this administrative bulletin, please email your inquiry to Pavel Terpelets at [pavel.terpelets@mass.gov](mailto:pavel.terpelets@mass.gov).