



**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Office of Medicaid**  
[www.mass.gov/masshealth](http://www.mass.gov/masshealth)

**MassHealth**  
**Adult Foster Care Bulletin 23**  
**March 2022**

**TO:** Adult Foster Care Providers Participating in MassHealth

**FROM:** Amanda Cassel Kraft, Assistant Secretary for MassHealth

**RE: Spending and Reporting Requirements for Certain Home-and Community-Based Services Related to Section 9817 of the American Rescue Plan Act**

### **Introduction**

The Executive Office of Health and Human Services (EOHHS) established enhanced rates for certain home and community-based services (HCBS), including MassHealth-covered Adult Foster Care (AFC) services, under 101 CMR 447.00: *Rates for Certain Home-and Community-based Services Related to Section 9817 of the American Rescue Plan Act* for dates of service beginning July 1, 2021, through June 30, 2022.

This bulletin provides updated provider attestation and reporting requirements for use of the funds associated with the temporary rate increase established under 101 CMR 447.00. The updated provider attestation and spending report requirements described below supersede and replace the provider attestation and spending report requirements set forth in [Adult Foster Care Bulletins 20 and 22](#).

All rates, billing instructions, and allowable uses set forth in [Adult Foster Care Bulletin 20](#) remain in effect for MassHealth-covered Adult Foster Care services for dates of service beginning July 1, 2021, through June 30, 2022, and in [Adult Foster Care Bulletin 22](#) for MassHealth-covered Adult Foster Care services for dates and service beginning January 1, 2022, through June 30, 2022.

### **Provider Attestation and Spending Report**

As a condition of receipt of these additional funds, eligible provider agencies must complete an attestation assuring EOHHS that they will use at least 90% of the funds for HCBS workforce development and submit a spending report to EOHHS that accounts for how the enhanced funds were used.

All funds must be expended by September 30, 2022, for services billed during the rate enhancement period. Providers will be required to submit a final spending report no later than December 31, 2022. The final report will account for funds related to the full enhancement period of July 1, 2021, through June 30, 2022. Upon submission of the report, providers will also be required to submit an attestation form, attesting to allowable use of the funds associated with the rate enhancements.

EOHHS guidance about the provider attestation and spending report requirements is located at [www.mass.gov/info-details/strengthening-home-and-community-based-services-and-behavioral-health-services-using-american-rescue-plan-arp-funding](http://www.mass.gov/info-details/strengthening-home-and-community-based-services-and-behavioral-health-services-using-american-rescue-plan-arp-funding). Providers are encouraged to check this site regularly for updated information.

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**Failure to Submit an Attestation or Spending Report**

Providers may be subject to sanction for failure to submit an attestation form and/or spending report in accordance with EOHHS guidance above, and pursuant to 130 CMR 450.238: *Sanctions: General* and 130 CMR 450.239: *Sanctions: Calculation of Administrative Fine*.

**MassHealth Website**

This bulletin is available on the [MassHealth Provider Bulletins](#) web page.

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**Questions**

Providers may submit questions related to the enhanced funding and other questions about this bulletin to [ARPAMEDICAIDHCBS@mass.gov](mailto:ARPAMEDICAIDHCBS@mass.gov).

The MassHealth LTSS Provider Service Center is also open from 8 a.m. to 6 p.m. ET, Monday through Friday, excluding holidays. LTSS Providers should direct their questions about this letter or other MassHealth LTSS Provider questions to the LTSS Third Party Administrator (TPA) as follows:

- Phone:** Toll free (844) 368-5184  
**Email:** [support@masshealthtss.com](mailto:support@masshealthtss.com)  
**Portal:** [www.MassHealthLTSS.com](http://www.MassHealthLTSS.com)  
**Mail:** MassHealth LTSS  
PO Box 159108  
Boston, MA 02215  
**Fax:** (888) 832-3006