

## **Second Amended and Restated Notice of Opportunity to Participate in MassHealth's Community Feedback Forum for Health & Justice**

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### **Background**

The Massachusetts Executive Office of Health and Human Services (EOHHS) is the state agency responsible for administering the state's Medicaid program and Children's Health Insurance program, which are collectively known as MassHealth. MassHealth provides comprehensive, affordable health care coverage for over two million low-income Massachusetts residents, including 40% of all Massachusetts children and 60% of all residents with disabilities. MassHealth's mission is to improve the health outcomes of our diverse members and their families by providing access to integrated health care services that sustainably and equitably promote health, well-being, independence, and quality of life.

Currently, a federal law known as the Medicaid Inmate Exclusion Policy (MIEP) prohibits Medicaid payment for services provided to incarcerated individuals in carceral settings. On October 16, 2023, EOHHS submitted to the Centers for Medicare and Medicaid Services (CMS) a requested amendment to its 1115 Demonstration ("Demonstration"), seeking approval to cover certain MassHealth services for eligible individuals who are incarcerated in Department of Corrections (DOC), County Correctional (CC), and Department of Youth Services (DYS) facilities in the 90-day period before the individuals are released from incarceration. This Demonstration initiative aims to improve the continuity of care as a member leaves a carceral facility and re-enters the community and to reduce health disparities for the justice-involved population.

To further these aims, EOHHS is procuring a stakeholder advisory council to be referred to as the Community Feedback Forum for Health and Justice (the Community Feedback Forum). EOHHS is seeking nominees to serve on the Community Feedback Forum to advise EOHHS on key policy decisions related to the request for and implementation of this proposed Demonstration initiative.

For more information on the Demonstration, see [1115 MassHealth Demonstration](#).

The Community Feedback Forum is separate and distinct from other EOHHS advisory councils, but Forum members may work in collaboration with other EOHHS advisory bodies. Individuals who participate in other EOHHS advisory councils are permitted to participate in the forum, if selected.

### **Nominee Criteria**

EOHHS seeks approximately 13 individuals to serve on the Community Feedback Forum. Of those individuals, EOHHS seeks to select approximately eight individuals who have lived experience with incarceration in a Massachusetts DOC, CC, or DYS facility or who are a family member or guardian of an individual with such lived experience. All interested individuals who meet these criteria are encouraged to apply, regardless of MassHealth membership. Although there is a preference for individuals, or family members or guardians of individuals, who were MassHealth members at the time their incarceration began or became MassHealth members following reentry into the community, those who are not current or past MassHealth members are still encouraged to apply. Preference will also be given to those individuals who have been released from incarceration within the last 10 years, or family members or guardians of such individuals. Individuals who are on probation or parole are eligible and encouraged to apply. Individuals who are currently incarcerated are not eligible to apply for membership on the Community Feedback Forum.

EOHHS also seeks to select approximately five representatives from community-based organizations, advocacy organizations, and direct service organizations (including but not limited to healthcare providers, legal advocates, and providers of legal services) who have experience working with individuals who have been incarcerated in a Massachusetts DOC, CC, or DYS facility. Preference will be given to representatives who, in addition to their work, have lived experience with the Massachusetts justice system.

All Community Feedback Forum nominees must be residents of Massachusetts and must not be employed by the DOC, DYS, or a County Sheriff's Office. Preference will be given to representatives from organizations who do not currently have an employment or contractual relationship with the DOC, DYS, or a County Sheriff's Office. EOHHS reserves the right to remove from the Community Feedback Forum any member that has a direct employment relationship with the DOC, DYS, or a County Sheriff's Office, or a direct or indirect contractual relationship with the DOC, DYS, a County Sheriff's Office, or another entity that MassHealth deems to be a conflict of interest, excluding non-financial participation on a consumer advisory committee.

It is EOHHS's goal, to the extent possible, that Community Feedback Forum members reflect the diversity of ages, cultures, languages, races, ethnicities, health statuses, disabilities, sexual orientations, gender identities, geographical communities, and experiences of the diverse communities with insight into how MassHealth policy will affect members involved with the Massachusetts justice system.

#### **Expectations for Members of the Community Feedback Forum**

EOHHS anticipates that the Community Feedback Forum will meet quarterly through June 2026, unless EOHHS terminates the term of the Forum sooner. The Community Feedback Forum will meet virtually via Zoom. EOHHS anticipates that each meeting will last approximately 1-2 hours.

The primary responsibility of Community Feedback Forum members will be advising EOHHS on the implementation of pre-release coverage for incarcerated MassHealth members as laid out in the 1115 Demonstration. EOHHS will bring policy matters to the Community Feedback Forum and ask for feedback from the group. Members should possess strong analytic skills, critical reading skills, and good interpersonal and communication skills, including the ability to work constructively with EOHHS.

All Community Feedback Forum members are expected to participate in initial onboarding activities, be available to devote the time needed to perform the roles and responsibilities of the Forum, review all meeting materials in advance of meetings, participate in at least 80% of meetings, and provide advice and guidance to EOHHS. It is anticipated that Community Feedback Forum members will commit approximately four hours per quarterly meeting to Forum duties, which include meeting preparation, meeting participation, and follow-up. In the event that a Community Feedback Forum member is unable to attend a Forum meeting, they may send a representative to a meeting with prior authorization from EOHHS, if an appropriate representative exists.

The Assistant Secretary for MassHealth, or their designee, may remove members who are not meeting their obligations or who are not qualified and may reopen the procurement to appoint new members as needed, including if a member is removed or resigns.

#### **Supports for Members of the Community Feedback Forum**

EOHHS will provide supports, including accommodations for individuals with disabilities as well as translation or interpretation services for Community Feedback Forum members who need them.

Stipends will be available for Community Feedback Forum members with lived incarceration experience and family members or guardians of Forum members with such lived experience who are not paid by a community-based or consumer advocacy organization, provider/trade association, union, or another organization/affiliate to represent them. Receipt of a stipend is optional, and the amount may be reduced upon request of the Community Feedback Forum member.

Stipends will be in the amount of \$75 per meeting or onboarding session attended plus \$25 for pre-meeting preparation, including preparing and reviewing meeting materials.

### Nominee Evaluation and Selection Process

EOHHS will convene an evaluation team to evaluate the nomination forms submitted in accordance with this Notice of Opportunity. The evaluation team will recommend members to the Assistant Secretary for MassHealth, or their designee, based on the selection contained in this notice. The Assistant Secretary for MassHealth, or their designee, will make the final decisions on the appointment of Community Feedback Forum members. EOHHS reserves the right to contact any nominee during the evaluation process to request written or oral clarification of their submission or to otherwise discuss their response.

In addition to the criteria set forth in the preceding Nominee Criteria section, the evaluation team will evaluate each nominee on:

- the comprehensiveness, appropriateness, clarity, innovation, effectiveness, and responsiveness to the needs of EOHHS of the nomination form;
- the nominee's understanding of the goals, roles and responsibilities of the Community Feedback Forum;
- the nominee's experience, including lived experience, of incarceration in Massachusetts or supporting individuals who are or have been incarcerated in Massachusetts;
- the nominee's expertise or experience in justice systems in Massachusetts;
- the nominee's expertise or experience in health equity;
- the nominee's geographic location;
- the nominee's status as an individual or organizational representative;
- the nominee's letter of reference; and
- any other qualifications that will contribute to the composition and goals of the Community Feedback Forum.

By virtue of submitting a nomination form for review, nominees are committing to the time and level of participation described in the Expectations for Members of the Community Feedback Forum section of this Notice of Opportunity.

If an individual selected to represent an organization can no longer serve on the Community Feedback Forum due to departure from the organization or qualifying role, the organization must promptly notify EOHHS and may propose a replacement with comparable background and experience for EOHHS approval.

### Submission Process

To be considered, interested individuals must submit a completed nomination form, letter of reference, and resume if applicable, to Amy Butcher at [amy.butcher@mass.gov](mailto:amy.butcher@mass.gov) by **April 30, 2024, at 4:00 PM**. Hard copy submissions will not be accepted. Candidates who are applying as organizational representatives may also be asked to submit additional information to verify their status. Accepted candidates are expected to be notified by email.

The nomination form is available online at <https://www.mass.gov/info-details/1115-masshealth-demonstration-waiver> under "Community Feedback Forum for Health and Justice," or on COMMBUYS ([www.commbuys.com](http://www.commbuys.com)). To access the documents on the COMMBUYS site, search the Bid Solicitation field (located at the top of the webpage) for keyword "Community Feedback Forum".

Contact Amy Butcher at [amy.butcher@mass.gov](mailto:amy.butcher@mass.gov) if you need the nomination form sent to you or would like to request a reasonable accommodation, which may include obtaining the information in an alternative format.

If EOHHS cannot identify qualified individuals with the qualifications listed above with this Notice during the procurement, or if EOHHS needs to fill a vacant Community Feedback Forum member slot, it may Second Amended Notice of Opportunity to Participate in MassHealth's Community Feedback Forum

reopen the procurement to fulfill these requirements. EOHHS reserves the right to reopen the procurement for any reason. Pursuant to 801 CMR 21.06 (6), EOHHS reserves the right, at any time prior to the execution of a contract under this Notice and without penalty, to amend or clarify this Notice, or to change the requirements, scope, budget, or schedule. Pursuant to 801 CMR 21.06(7), EOHHS reserves the right, at any time prior to the execution of a contract, and without penalty, to cancel this Notice and reject all Nomination forms.

### Public Records Notice

Please be aware that any information contained within a submitted nomination form, including voluntary self-identification as an individual with criminal justice involvement or a recipient of MassHealth or Medicare coverage, may be made public. All responses and information submitted in response to this nomination form are subject to the Massachusetts Public Records Law, M.G.L. c. 66, § 10, and M.G.L. c. 4, § 7, subsection 26.

### Equity Statement

EOHHS does not discriminate on the basis of race, religion, color, sex, gender identity or expression, sexual orientation, age, disability, national origin, veteran status, or any other basis covered by appropriate law. Research suggests that qualified women and Black individuals, Indigenous people, and Persons of Color (BIPOC) may self-select out of opportunities if they do not meet 100% of the requirements. EOHHS encourages all individuals who are interested to apply.