




**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Office of Medicaid**  
*www.mass.gov/masshealth*



MassHealth  
Transmittal Letter CHC-116  
January 2022

**TO:** Community Health Centers Participating in MassHealth  
**FROM:** Amanda Cassel Kraft, Assistant Secretary for MassHealth   
**RE:** *Community Health Center Manual* (Updates to Policy about Acupuncture Services)

This letter transmits updates to 130 CMR 405.000: *Community Health Center Services* in Subchapter 4 of the *Community Health Center Manual*, effective January 21, 2022. Amendments to 130 CMR 405.000 eliminate the requirement that physicians supervise licensed acupuncturists rendering medically necessary acupuncture services to MassHealth members. Updates also allow community health centers to bill MassHealth for services rendered by a licensed acupuncturist, even if a physician does not supervise the provision of these services.

These amendments correspond to the establishment of new program regulation 130 CMR 447.000: *Acupuncture Services*, which is also effective January 21, 2022.

### **MassHealth Website**

This transmittal letter and attached pages are available on the MassHealth website at [www.mass.gov/masshealth-transmittal-letters](http://www.mass.gov/masshealth-transmittal-letters).

[Sign up](#) to receive email alerts when MassHealth issues new transmittal letters and provider bulletins.

### **Questions**

If you have any questions about the information in this transmittal letter, please contact the MassHealth Customer Service Center at (800) 841-2900, email your inquiry to [providersupport@mahealth.net](mailto:providersupport@mahealth.net), or fax your inquiry to (617) 988-8974.

### **NEW MATERIAL**

(The pages listed here contain new or revised language.)

#### **Community Health Center Manual**

Pages 4-31 through 4-34

OBSOLETE MATERIAL

(The pages listed here are no longer in effect.)

Community Health Center Manual

Pages 4-31 through 4-34 — transmitted by Transmittal Letter CHC-112

<b>Commonwealth of Massachusetts MassHealth Provider Manual Series</b>  Community Health Center Manual	<b>Subchapter Number and Title</b> 4. Program Regulations (130 CMR 405.000)	<b>Page</b> 4-31
	<b>Transmittal Letter</b> CHC-116	<b>Date</b> 01/21/22

(c) Individual and group counseling also includes collaboration with and facilitating referrals to other healthcare providers to coordinate the appropriate use of medications, especially in the presence of medical or psychiatric comorbidities.

(2) The individual and group tobacco-cessation counseling services must include the following:

- (a) education on proven methods for stopping the use of tobacco, including:
  1. a review of the health consequences of tobacco use and the benefits of quitting;
  2. a description of how tobacco dependence develops and an explanation of the biological, psychological, and social causes of tobacco dependence; and
  3. a review of evidence-based treatment strategies and the advantages and disadvantages of each strategy;
- (b) collaborative development of a treatment plan that uses evidence-based strategies to assist the member to attempt to quit, to continue to abstain from tobacco, and to prevent relapse, including:
  1. identification of personal risk factors for relapse and incorporation into the treatment plan;
  2. strategies and coping skills to reduce relapse risk; and
  3. a plan for continued aftercare following initial treatment; and
- (c) information and advice on the benefits of nicotine replacement therapy or other proven pharmaceutical or behavioral adjuncts to quitting smoking, including:
  1. the correct use, efficacy, adverse events, contraindications, known side effects, and exclusions for all tobacco dependence medications; and
  2. the possible adverse reactions and complications related to the use of pharmacotherapy for tobacco dependence.

(C) Provider Qualifications for Tobacco-cessation Counseling Services.

(1) Qualified Personnel.

- (a) Physicians, registered nurses, certified nurse practitioners, certified nurse midwives, psychiatric clinical nurse specialists, clinical nurse specialists, and physician assistants may provide tobacco-cessation counseling services without additional experience or training in tobacco-cessation counseling services.
- (b) All other providers of tobacco-cessation counseling services must be under the supervision of a physician, and must complete a course of training in tobacco-cessation counseling by a degree-granting institution of higher education with a minimum of eight hours of instruction.

(2) Supervision of Tobacco-cessation Counseling Services. A physician must supervise all nonphysician providers of tobacco-cessation counseling services.

(D) Tobacco-cessation Services: Claims Submission. A CHC may submit claims for tobacco-cessation counseling services that are provided by physicians, registered nurses, certified nurse practitioners, certified nurse midwives, psychiatric clinical nurse specialists and physician assistants, and MassHealth-qualified tobacco-cessation counselors according to 130 CMR 405.472(B) and (C). See Subchapter 6 of the *Community Health Center Manual* for service codes.

<b>Commonwealth of Massachusetts MassHealth Provider Manual Series</b>  Community Health Center Manual	<b>Subchapter Number and Title</b> 4. Program Regulations (130 CMR 405.000)	<b>Page</b> 4-32
	<b>Transmittal Letter</b> CHC-116	<b>Date</b> 01/21/22

#### 405.473: Fluoride Varnish Services

(A) Eligible Members. Members must be younger than 21 years old to be eligible for the application of fluoride varnish.

(B) Qualified Personnel. Physicians, physician assistants, certified nurse practitioners, registered nurses, licensed practical nurses, and medical assistants may apply fluoride varnish subject to the limitation of state law. To qualify to apply fluoride varnish, the individual must complete a MassHealth-approved training on the application of fluoride varnish, maintain proof of completion of the training, and provide such proof to the MassHealth agency upon request.

(C) Billing for a Medical Visit and Fluoride Varnish Treatment or Procedure. A CHC may bill for fluoride varnish services provided by a physician or a qualified staff member as listed in 130 CMR 405.473(B) under the supervision of a physician. The CHC may bill for a medical visit in addition to the fluoride varnish application only if fluoride varnish was not the sole service, treatment, or procedure provided during the visit. The dental enhancement fee may not be billed for a fluoride varnish application separately or in addition to a medical visit.

(D) Claims Submission. A CHC may submit claims for fluoride varnish services that are provided by physicians, physician assistants, certified nurse practitioners, registered nurses, licensed practical nurses, and medical assistants according to 130 CMR 405.473(C). See Subchapter 6 of the *Community Health Center Manual* for service codes.

#### 405.474: Acupuncture Services

(A) Introduction. MassHealth members are eligible to receive acupuncture services in CHCs for the treatment of pain as described in 130 CMR 405.474(C). See 130 CMR 433.454(E): *Acupuncture as an Anesthetic* for use of acupuncture as an anesthetic, and 130 CMR 418.000: *Substance Use Disorder Treatment Services* for use of acupuncture for detoxification.

(B) General. 130 CMR 405.474 applies specifically to physicians and other licensed practitioners of acupuncture in a CHC. The requirements elsewhere in 130 CMR 405.000 that apply to a CHC, also apply to licensed practitioners of acupuncture, such as service limitations, record-keeping, report requirements, and prior-authorization requirements.

(C) Acupuncture for the Treatment of Pain. MassHealth provides a total of 20 sessions of acupuncture for the treatment of pain per member per year without prior authorization. If the member's condition, treatment, or diagnosis changes, the member may be able to receive more sessions of medically-necessary acupuncture treatment with prior authorization.

(D) Provider Qualifications for Acupuncture.

(1) Qualified Providers. MassHealth pays a CHC for acupuncture services only when the provider rendering the service is:

(a) a physician; or

(b) licensed in acupuncture by the Massachusetts Board of Registration in Medicine under 243 CMR 5.00: *The Practice of Acupuncture*.

(2) Acupuncture Providers in CHCs. CHCs must ensure that acupuncture providers for whom the CHC will submit claims possess the appropriate training, credentials, and licensure.

<b>Commonwealth of Massachusetts MassHealth Provider Manual Series</b>	<b>Subchapter Number and Title</b> 4. Program Regulations (130 CMR 405.000)	<b>Page</b> 4-33
	<b>Transmittal Letter</b> CHC-116	<b>Date</b> 01/21/22
Community Health Center Manual		

(E) Conditions of Payment. The MassHealth agency pays the CHC for services of an acupuncturist qualified to render such services in accordance with 130 CMR 405.474(D) only when:

- (1) the services are limited to the scope of practice authorized by state law or regulation (such as 243 CMR 5.00: *The Practice of Acupuncture*); and
- (2) the provider has a current license or certificate of registration from the Massachusetts Board of Registration in Medicine.

(F) Acupuncture Claims Submissions.

- (1) Community health centers (CHCs) may submit claims for acupuncture services when a provider qualified to render such services in accordance with 130 CMR 405.474(D) provides those services directly to MassHealth members. *See* Subchapter 6 of the *Community Health Center Manual* for service code descriptions and billing requirements.
- (2) For MassHealth members receiving services under any of the acupuncture codes on the same date of service as an office visit, the CHC may bill for either an office visit or the acupuncture code, but may not bill for both an office visit and the acupuncture code for the same member on the same date when the office visit and the acupuncture services are performed in the same location. This limitation does not apply to a significant, separately identifiable office visit provided by the same CHC on the same day of the acupuncture service.

#### 405.475: Medical Nutrition Therapy

(A) Introduction. MassHealth members are eligible to receive medical nutrition therapy services described in 130 CMR 405.475(B). *See* Subchapter 6 of the *Community Health Center Manual* for service code descriptions and billing requirements.

(B) The MassHealth agency pays for nutritional diagnostic therapy and counseling services for the purpose of management of a medical condition. Medical nutrition therapy services are payable when provided to eligible MassHealth members by the following providers:

- (1) physicians;
- (2) dietitians/nutritionists licensed by the Massachusetts Division of Professional licensure, and the Board of Registration of Dietitians and Nutritionists;
- (3) mid-level practitioners credentialed by the Commission on Dietetic Registration (CDR) (*e.g.*, certified nurse-midwives, certified nurse practitioners, registered nurses, and physician assistants); or
- (4) other health-care providers licensed by the Massachusetts Division of Professional Licensure, and the Board of Registration of Dietitians and Nutritionists, with specific training in the provision of nutritional counseling as provided in 42 U.S.C. 1395x(vv)(2).

<b>Commonwealth of Massachusetts MassHealth Provider Manual Series</b>	<b>Subchapter Number and Title</b> 4. Program Regulations (130 CMR 405.000)	<b>Page</b> 4-34
	<b>Transmittal Letter</b> CHC-116	<b>Date</b> 01/21/22
Community Health Center Manual		

405.476: Diabetes Self-management Training

(A) Introduction. MassHealth members are eligible to receive diabetes self-management training services described in 130 CMR 405.476(B). *See* Subchapter 6 of the *Community Health Center Manual* for service code descriptions and billing requirements.

(B) The MassHealth agency pays for diabetes self-management training and education, which may include medical nutrition therapy, and are furnished to an individual with pre-diabetes or diabetes. Diabetes self-management training services are payable when provided to eligible MassHealth members by the following providers:

- (1) physicians;
- (2) dietitians/nutritionists licensed by the Massachusetts Division of Professional Licensure, and the Board of Registration of Dietitians and Nutritionists;
- (3) mid-level practitioners credentialed by the National Certification Board of Diabetes Educators (NCBDE) (e.g., nurse-midwives, nurse practitioners, registered nurses, and physician assistants); or
- (4) other health-care practitioners with specific training in the provision of DSMT as provided in 42 U.S.C. 1395x(qq)(2).

(130 CMR 405.477 through 405.495 Reserved)