



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

MassHealth
Chronic Disease and Rehabilitation
Inpatient Hospital Bulletin 102
October 2023

TO: Chronic Disease and Rehabilitation Inpatient Hospitals Participating in MassHealth

FROM: Mike Levine, Assistant Secretary for MassHealth *Mike Levine*

RE: **Hospital Access and Identifying Hospital Patients Who May Be Potential Candidates to Leave the Hospital and Move Back to the Community**

Background

MassHealth and its designated agents, the Massachusetts Rehabilitation Commission (MRC), the Department of Developmental Services (DDS), the Executive Office of Elder Affairs, and ForHealth Consulting at UMass Chan Medical School, perform outreach in chronic disease and rehab (CDR) hospitals to inform residents about home and community-based services options, as well as the possibility of receiving care in a less restrictive setting.

As discussed in more detail below, CDR hospitals are required to grant hospital access to MassHealth and its agents, as well as aid in the process of identifying patients who may have the potential to leave the hospital and return to the community as participants in the Money Follows the Person Demonstration (MFP Demo) and/or a Home- and Community-based Services (HCBS) Waiver, in particular, the Acquired Brain Injury (ABI) and Moving Forward Plan (MFP) Waivers.

Hospital and Patient Access

CDR hospitals must allow designated staff from MassHealth or its agent or designee, such as those listed above, to:

- enter the hospital and/or its buildings to speak with staff and patients;
- meet with patients to provide information about the MFP Demo, HCBS Waivers, and any programs that support moving back to the community;
- access private meeting space for interviews with patients;
- discuss community housing options; and
- participate in discharge-planning meetings.

CDR hospitals continue to be subject to MassHealth regulations [130 CMR 435.000: Chronic Disease and Rehabilitation Inpatient Hospital Services](#). Pursuant to these regulations, CDR hospitals are required to create service plans and perform care coordination and discharge planning for all patients. CDR hospitals that fail to comply with the requirements outlined in this bulletin may be subject to sanctions under 130 CMR 450.238, et seq.

Patient Medical Records

CDR hospitals must assist designated staff from MassHealth or its agent or designee in obtaining necessary Releases of Information for each patient identified as a potential MFP Demo or HCBS Waiver candidate. Upon receipt of a medical records request supported by a valid Release of Information, hospitals must provide records that describe the extent, quality, and medical necessity of services provided by the hospitals to such patients, at no cost to MassHealth or its agent or designee. Examples include (not an all-inclusive list):

- medical records;
- current and past care plans;
- behavior-monitoring sheets and/or social service notes, risk assessments, or other related documentation;
- documentation related to the discharge or potential discharge of the patient, including facility discharge-planning efforts;
- information that fully documents the type and extent of services provided by a hospital to the patient, and the name of the attending physician responsible for the patient's care;
- documentation from hospitalizations;
- information about the patient's legal guardian, health care proxy, and/or power of attorney;
- records or other documentation that would assist in determining an appropriate community placement for the patient;
- any other information related to the ability of the patient to safely reside in the community; or
- a copy of the SC-1 and any other required discharge documentation.

Hospitals must provide all relevant records specified in this bulletin to MassHealth or its agent or designee in a timely manner, and no later than 14 calendar days from the date of the original request, and seven calendar days for all supplemental medical records requests. Electronic transmission of the medical record is preferred and must be sent securely in accordance with applicable privacy rules.

As participating providers in the MassHealth program, hospitals must cooperate with medical records reviews, as well as maintain and retain any records necessary to disclose the extent, quality, and medical necessity of services provided to MassHealth members. These records must, upon request, be made available and provided to the MassHealth agency or its agent or designee (see, for example, 130 CMR 450.205). Failure to comply with the recordkeeping and disclosure requirements of this bulletin may constitute MassHealth program violations, and may be subject to sanctions under 130 CMR 450.238, et seq.

Additional Information

More information about the Money Follows the Person Demonstration is available on MassHealth's website at the following web address: www.mass.gov/money-follows-the-person-demonstration.

More information about the ABI and MFP waivers is available on MassHealth's website at the following web addresses.

- Acquired Brain Injury (ABI) Waivers: www.mass.gov/info-details/acquired-brain-injury-abi-waivers
- Moving Forward Plan (MFP) Waivers: www.mass.gov/info-details/moving-forward-plan-mfp-waivers

Questions

If you have additional questions about these waiver programs, please contact the ABI and MFP Waiver Unit at (866) 281-5602 or (855) 499-5109.

MassHealth Website

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