



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

Day Habilitation Bulletin 32

DATE: November 2024

TO: Day Habilitation Providers Participating in MassHealth

FROM: Mike Levine, Assistant Secretary for MassHealth

RE: **Submission of Day Habilitation Providers' Nondiscrimination Policies to MassHealth**

Day Habilitation Providers' Nondiscrimination Policies

The Executive Office of Health and Human Services (EOHHS) requires all day habilitation (DH) providers to submit to MassHealth all DH nondiscrimination policies in admissions and service delivery, in the form and format noted in provider regulations.

Background

As the single state agency responsible for administering MassHealth, EOHHS has oversight authority over providers offering MassHealth services, and it has the authority to issue sanctions to providers for noncompliance with regulations, up to and including termination. See 130 CMR 450.238: *Sanctions: General* and 450.240: *Sanctions: Determination*. EOHHS may also refer violations of nondiscrimination requirements to the Massachusetts Commission Against Discrimination (MCAD), the U.S. Department of Health and Human Services (HHS), or both, according to 130 CMR 450.202(D).

MassHealth DH providers are required to adhere to DH provider regulations [130 CMR 419.000: Day Habilitation Center Services](#) and [130 CMR 450.000: Administrative and Billing Regulations](#). This includes (but is not limited to) the nondiscrimination provisions in 130 CMR 450.202(B). It also includes 130 CMR 419.416(A): *Policies and Procedures Manual*, which requires DH providers to develop, maintain, and periodically review and update policies and procedures for the delivery of DH, including administrative and clinical policies related to nondiscrimination.

All DH providers enrolled in MassHealth must submit all policies for nondiscrimination in admissions and service delivery to ADH.DH.Programs@mass.gov by December 15, 2024.

MassHealth Website

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Questions

If you have questions about the information in this bulletin, please contact us:

Long-Term Services and Supports

Phone: (844) 368-5184 (toll free)

Email: support@masshealthltss.com

Portal: MassHealthLTSS.com

Mail: MassHealth LTSS
PO Box 159108
Boston, MA 02215

Fax: (888) 832-3006

All Other Provider Types

Phone: (800) 841-2900, TDD/TTY: 711

Email: provider@masshealthquestions.com