




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

MassHealth
Durable Medical Equipment Provider
Bulletin 29
Oxygen and Respiratory Therapy
Equipment Provider Bulletin 23
January 2022

TO: Durable Medical Equipment and Oxygen and Respiratory Therapy Equipment Providers Participating in MassHealth

FROM: Amanda Cassel Kraft, Assistant Secretary for MassHealth 

RE: **Extension of Rate Increases 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 Durable Medical Equipment (DME) and Oxygen and Respiratory Therapy Equipment (OXY) services, under 101 CMR 447.00: *Rates for Certain Home- and Community-based Services Related to Section 9817 of the American Rescue Plan Act* (ARPA) for dates of service beginning July 1, 2021, through December 31, 2021.

EOHHS is extending enhanced rates for DME and OXY services through June 30, 2022. This bulletin supersedes Durable Medical Equipment Bulletin 27 and Oxygen and Respiratory Therapy Equipment Bulletin 21, published in August 2021, and sets forth billing instructions in effect for MassHealth-covered DME and OXY services for dates of service beginning July 1, 2021, through June 30, 2022, and provides additional information about the required provider attestation and reporting requirements regarding use of the funds associated with the ARPA temporary rate increase established pursuant to 101 CMR 447.00 .

Enhanced Durable Medical Equipment and Oxygen and Respiratory Therapy Equipment Rates and Billing Instructions for Dates of Service from July 1, 2021, through June 30, 2022

Enhanced Rates and Service Codes Spreadsheet effective July 1, 2021

To promote workforce development and strengthen the HCBS workforce during the continued federal public health emergency, the rates effective for dates of services beginning July 1, 2021, through December 31, 2021, were established in 101 CMR 447.00 at an amount 10% higher than the existing rates for these services as established in 101 CMR 322.00: *Durable Medical Equipment, Oxygen and Respiratory Therapy Equipment*. With this extension, the rates found at 101 CMR 447.03(6)(s) will remain in effect through June 30, 2022.

**MassHealth
Durable Medical Equipment Provider
Bulletin 29
Oxygen and Respiratory Therapy
Equipment Provider Bulletin 23
January 2022
Page 2 of 3**

Rates are also set forth in a spreadsheet at the following link: www.mass.gov/regulations/101-CMR-44700-rates-for-certain-home-and-community-based-services-related-to-section-9817-of-the-american-rescue-plan-act.

Service Provision

All Durable Medical Equipment and Oxygen and Respiratory Therapy Equipment services receiving enhanced funding must be delivered in accordance with all applicable program requirements and regulations as set forth in 130 CMR 409.000: *Durable Medical Equipment* and 130 CMR 427.000: *Oxygen and Respiratory Therapy Equipment*.

Administrative and Billing Requirements

All existing provider billing processes will remain in effect during the period of enhanced funding, beginning July 2021 through December 2021 and through the extension period beginning January 1, 2022, - June 30, 2022. Providers must submit claims according to policies and procedures set forth in applicable administrative and billing regulations and supporting guidance.

Durable Medical Equipment and Oxygen and Respiratory Therapy Equipment Rates for Dates of Service on or after July 1, 2022

For dates of service on or after July 1, 2022, MassHealth will pay providers for DME and OXY services at the rates established under 101 CMR 322.00.

Allowable Uses of Enhanced Funding

Providers will be required to use at least 90% of enhanced funds for the specific purposes of recruiting, building, and retaining their direct care and support workforce.

EOHHS guidance about allowable uses of the enhanced funding, including eligible direct care and support staff and categories of compensation, is available at www.mass.gov/doc/for-masshealth-providers-home-and-community-based-service-enhanced-rate-add-ons-using-american-rescue-plan-act-arpa-funding/download.

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.

Providers will first be required to submit an interim spending report no later than July 31, 2022, to report on funds related to the first enhancement period (July 1, 2021, - December 31, 2021). A final

**MassHealth
Durable Medical Equipment Provider
Bulletin 29
Oxygen and Respiratory Therapy
Equipment Provider Bulletin 23
January 2022
Page 3 of 3**

spending report will be due September 30, 2022, and must account for funds related to the extension period (January 1, 2022, - June 30, 2022).

EOHHS guidance about the provider attestation and spending report requirements will be provided in January 2022 at 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.

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 related to this bulletin to 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
Portal: www.MassHealthLTSS.com
Mail: MassHealth LTSS
PO Box 159108
Boston, MA 02215
Fax: (888) 832-3006