




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

MassHealth
Durable Medical Equipment Provider
Bulletin 30
Oxygen and Respiratory Therapy
Equipment Bulletin 24
March 2022

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

FROM: Amanda Cassel Kraft, Assistant Secretary for MassHealth 

RE: **Spending 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 June 30, 2022.

This bulletin provides updated provider attestation and reporting requirements for use of the funds associated with the temporary rate increase established under 101 CMR 447.00. The updated provider attestation and spending report requirements described below supersede and replace the provider attestation and spending report requirements set forth in [Durable Medical Equipment Bulletins 27 and 29](#) and [Oxygen and Respiratory Therapy Equipment Bulletins 21 and 23](#).

All rates, billing instructions, and allowable uses set forth in [Durable Medical Equipment Bulletin 27](#) and [Oxygen and Respiratory Therapy Equipment Bulletin 21](#) remain in effect for MassHealth-covered services for dates of service beginning July 1, 2021, through June 30, 2022 and in [Durable Medical Equipment Bulletin 29](#) and [Oxygen and Respiratory Therapy Equipment Bulletin 23](#) for MassHealth-covered services for dates and service beginning January 1, 2022, through June 30, 2022.

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.

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All funds must be expended by September 30, 2022, for services billed during the rate enhancement period. Providers will be required to submit a final spending report no later than December 31, 2022. The final report will account for funds related to the full enhancement period of July 1, 2021, through June 30, 2022. Upon submission of the report, providers will also be required to submit an attestation form, attesting to allowable use of the funds associated with the rate enhancements.

EOHHS guidance about the provider attestation and spending report requirements is located 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 about 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