




**Commonwealth of Massachusetts**  
**Executive Office of Health and Human Services**  
**Office of Medicaid**  
[www.mass.gov/masshealth](http://www.mass.gov/masshealth)

**MassHealth**  
**Durable Medical Equipment Bulletin 33**  
**May 2023**

**TO:** Durable Medical Equipment Providers Participating in MassHealth

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

**RE:** **Policy Update: Durable Medical Equipment - Refill Notice Requirement**

### **Background**

In 2021, MassHealth amended the regulations governing the Durable Medical Equipment (DME) program (130 CMR 409.000: *Durable Medical Equipment Services*). These updates (effective August 6, 2021) increased the number of business days a provider may contact the member or the member's designee in advance of refilling a DME prescription. Before the 2021 update, providers were allowed five days. The update increased the number of days to seven.

### **Policy Update**

However, due to ongoing supply chain challenges, providers indicate that more than seven business days are required to ensure timely ordering and delivery. To reduce providers' administrative burden, avoid member confusion, and avoid service gaps, MassHealth is updating its policy regarding advance notice for refills.

Effective for dates of services on or after May 15, 2023, notwithstanding the provision at 130 CMR 409.419(E), providers may contact the member or the member's designee up to 21 business days before shipping or delivering the refill.

### **Recordkeeping**

Providers must make diligent efforts to obtain the appropriate documentation in a timely manner and to maintain records for outreach to members and their prescribers. All prior authorization, eligibility verification, documentation, recordkeeping, and other applicable provisions of 130 CMR 450.000: *Administrative and Billing Regulations* and 130 CMR 409.000 apply.

### **MassHealth Website**

This bulletin is available on the [MassHealth Provider Bulletins](#) web page.

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

## **Questions**

If you have any questions about the information in this bulletin, please contact the Long Term Services and Supports (LTSS) Provider Service Center.

**Phone:** Toll free (844) 368-5184  
**Email:** [support@masshealthtss.com](mailto:support@masshealthtss.com)  
**Portal:** [www.MassHealthLTSS.com](http://www.MassHealthLTSS.com)  
**Mail:** MassHealth LTSS  
P.O. Box 159108  
Boston, MA 02215  
**Fax:** (888) 832-3006