



Eligibility Letter 255

DATE: February 2026

TO: MassHealth Staff

FROM: Elizabeth LaMontagne, Chief Operating Officer

RE: **Revised Regulation 130 CMR 515: *MassHealth: General Policies***

Background

MassHealth has updated 130 CMR 515: *MassHealth: General Policies*. This regulation amendment includes the following changes.

- **Trusts:** MassHealth is implementing state legislation that requires it to consider transfers permissible if they are transfers into valid pooled trust and special need trust accounts made before and after a permanently and totally disabled individual turns 65. This change is effective December 2024.
- **Case File:** MassHealth is removing language indicating that member account documentation is “permanent” to account for federal rules on case file retention.
- **Disabled:** MassHealth is amending the definition of “disabled” to reflect current practice and align with the federal definition in Title XVI of the Social Security Act.
- **Federal Poverty Level:** MassHealth is amending the regulation to reflect current practice, wherein MassHealth implements annual federal poverty level increases March 1 of each year to align with updates published in the Federal Register.
- **Recoupment of Overpayments:** MassHealth is removing language reserving the right to recoup overpayment for medical services. This aligns with recent Centers for Medicare & Medicaid Services guidance and does not preclude MassHealth from recovering within the limits set by federal law.

These regulations are effective February 13, 2026.

MassHealth Website

This Eligibility Letter is available on the MassHealth website at [MassHealth Eligibility Letters](#).

New Material

The pages listed here contain new or revised language.

Regulation 130 CMR 515: *MassHealth: General Policies*

Pages 1 through 23

Obsolete Material

The pages listed here are no longer in effect.

Regulation 130 CMR 515: *MassHealth: General Policies*

Pages 515.000, 515.001-1 through 3, 515.002, 515.007, 515.008—transmitted by Eligibility Letter 213

Pages 515.001-4 through 8, 515.0003, 515.005, 515.009, 515.011 through 515.013, 515.015—transmitted by Eligibility Letter 238

Pages 515.001-9 through 11—transmitted by Eligibility Letter 242

Please note: Eligibility Letters no longer include the updated regulation pages. Updated regulations are on our [member eligibility regulations](#) page.