



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

MassHealth
HCBS Waiver Provider Bulletin 21
September 2022

TO: Acquired Brain Injury (ABI) and Moving Forward Plan (MFP) Waiver Providers Participating in MassHealth

FROM: Amanda Cassel Kraft, Assistant Secretary for MassHealth

RE: FY23 General Appropriations Act Home Health Aide, Homemaker, and Personal Care Rate Increases and Reporting Requirements

Introduction

This bulletin provides information about the Commonwealth of Massachusetts' Fiscal Year 2023 (FY23) General Appropriations Act (Chapter 126 of the Acts of 2022) and associated reporting requirements for home health and home care agencies. The legislation appropriated approximately \$40 million to the Executive Office of Elder Affairs (EOEA) to provide a rate add-on for homemaker, personal care, and home health aide services provided through the EOEA Home Care Program, the MassHealth State Plan Home Health Program, and the MassHealth Acquired Brain Injury/Moving Forward Plan (ABI/MFP) Waiver Program from July 1, 2022, through June 30, 2023. The legislation defines the amount of the rate add-on as \$3.56 per service hour for home health aides (or \$0.89 per 15-minute unit) and \$3.96 per service hour for homemakers and agency personal care (or \$0.99 per 15-minute unit).

Eligible ABI/MFP Waiver provider agencies must submit an attestation before receiving funds associated with the rate add-on from the FY23 General Appropriations Act. The attestation must state that funds will be used for hourly wage increases, other categories of worker compensations such as bonuses, overtime, and related personnel expenses, and other related eligible costs, including but not limited to, personal protective equipment. Additionally, ABI/MFP Waiver provider agencies that receive funds from the appropriation are required to submit a spending report to EOEA to account for how the appropriated funds were used. Providers of homemaker services who are individual (self-employed) providers or self-directed service providers are not required to submit an attestation form or a spending report.

EOEA and MassHealth will post documents and information related to the implementation on the [EOEA website \(www.mass.gov/lists/home-care-and-home-health-supplemental-rates\)](http://www.mass.gov/lists/home-care-and-home-health-supplemental-rates). Providers are encouraged to check this site regularly for updated information.

Providers may submit questions related to the FY23 General Appropriations Act, distribution of funds, and other questions related to this bulletin to homecareaiderrates@mass.gov.

Provider Attestation Form

The FY23 General Appropriations Act states that before funds may be distributed, home care and home health agencies must submit an attestation affirming the rate add-on funds will be used for

- hourly wage increases;
- other categories of worker compensation such as bonuses, overtime-related personnel expenses; and
- other related eligible costs, including but not limited to, personal protective equipment.

EOEA and MassHealth have created an [online attestation form](https://app.keysurvey.com/f/41633719/52a0/) (<https://app.keysurvey.com/f/41633719/52a0/>) for home care and home health agencies to complete by **November 30, 2022**. The form can be accessed from any Internet browser.

ABI/MFP Waiver provider agencies are required to submit a single provider attestation form that includes all their state-funded contracts for the provision of homemaker, personal care, and/or home health aide services under MassHealth and through the EOEA Home Care Program. ABI/MFP Waiver provider agencies will find additional guidance about allowable uses for the rate add-ons at the [EOEA website](http://www.mass.gov/lists/home-care-and-home-health-supplemental-rates) (www.mass.gov/lists/home-care-and-home-health-supplemental-rates).

ABI/MFP Waiver provider agencies are required to save or print a copy of their attestation submission for their records.

Provider Spending Report

Home health and home care agencies are required to submit a single spending report that includes all their state-funded contracts for the provision of homemaker, personal care, and/or home health aide services under the EOEA Home Care Program, the MassHealth State Plan Home Health Program, and the MassHealth ABI/MFP Waiver Program. The spending report must account for the use of all appropriated funds received and must be submitted to EOEA.

EOEA and MassHealth will create an online spending report tool for providers. EOEA and MassHealth will release this spending report form and instructions in subsequent provider communications and will post a link to the report tool on the [EOEA website](http://www.mass.gov/lists/home-care-and-home-health-supplemental-rates) (www.mass.gov/lists/home-care-and-home-health-supplemental-rates). Providers may expect the spending report to align with the types of allowable uses of the appropriated funds outlined in the legislation.

EOEA and MassHealth Provider Content Page

EOEA and MassHealth will post documents and information about the implementation of the FY23 General Appropriations Act on the [EOEA website](http://www.mass.gov/lists/home-care-and-home-health-supplemental-rates) (www.mass.gov/lists/home-care-and-home-health-supplemental-rates). Providers are encouraged to check this site regularly for updated information.

Providers may submit questions about this implementation to homecareaiderates@mass.gov.

Failure to Submit a Spending Plan

Providers may be subject to sanctions for failure to submit a spending plan in accordance with 130 CMR 450.238 and 450.239.

Promulgation of Rates under 101 CMR 449.00: Rates for Certain Home- and Community-based Services Related to Workforce Development

All rates applicable to home health aide, homemaker, and agency personal care services delivered through the MassHealth ABI and MFP Waivers are required to be established in regulation under M.G.L. c. 118, s. 13D. The FY23 General Appropriations Act add-on rates described in this bulletin were established in 101 CMR 449.00, which was filed as an emergency with the Secretary of State on September 2, 2022. A public hearing will be held on September 27, 2022.

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

For questions or assistance on completing a spending plan, email your inquiry to homecareaiderates@mass.gov.

ABI/MFP Waiver providers should direct questions about this bulletin or other MassHealth ABI/MFP provider questions to the University of Massachusetts Medical School Disability and Community Services HCBS Provider Network Administration Unit, as follows:

Contact Information for University of Massachusetts Medical School Disability and Community Services HCBS Provider Network Administration Unit

Phone: (855) 300-7058 (toll free)

Email: ProviderNetwork@umassmed.edu

Hours: 9:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays