



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

**MassHealth**  
**Home Health Agency Bulletin 81**  
**February 2023**

**TO:** Home Health Agencies Participating in MassHealth

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

**RE:** Updates to CSN Overtime Policy effective January 1, 2023

## **Background**

In July 2022, the Executive Office of Health and Human Services (EOHHS) extended a temporary allowance that applied to Home Health Agencies providing continuous skilled nursing (CSN) services. This temporary allowance, outlined in [Home Health Agency Bulletin 77](#), allowed home health agencies to bill MassHealth at the CSN overtime (OT) rates established in 101 CMR 361.00: *Rates for Continued Skilled Nursing Services*, for individual providers through December 2022.

This bulletin amends Home Health Agency Bulletin 77 by making CSN OT rates established under 101 CMR 361.00 permanent. The effective date for this change is January 1, 2023.

All CSN services provided by a home health agency, including those reimbursed at an overtime rate, must be delivered in accordance with all applicable program requirements and regulations as set forth in 130 CMR 438.000: *Continuous Skilled Nursing Agency*.

## **Home Health Agency CSN Overtime Authorization and Program Integrity**

### **Authorization of Home Health Agency CSN Overtime**

MassHealth will establish OT units for CSN services on each MassHealth Member's CSN prior authorization (PA). Overtime CSN units will be designated as a one-time additional allocation equivalent to one week's worth of the member's CSN services as authorized by MassHealth for the home health agency. The home health agency may submit claims for OT only when the requirements described in this bulletin are met. The OT units are not to be used to provide additional CSN services to the member over and above the number of services authorized per week by MassHealth for the member and home health agency. Such use could be subject to sanction or overpayment per 130 CMR 450.000: *Administrative and Billing Regulations*.

Home health agencies that require additional CSN OT units for a particular member's PA must request a change to the member's PA. Home health agencies may make this request through email to [commcase@umassmed.edu](mailto:commcase@umassmed.edu). The email must include the number of units that the home health agency needs added to each modifier line on the PA. MassHealth will modify prior authorization through its typical process. All reimbursement rules established under 130 CMR 438.000 and 101 CMR 361.00, including service codes and reimbursement rates, apply.

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**Expansion of MassHealth Funded Payers to Qualify a Nurse for OT**

Effective on and after July 1, 2022, MassHealth permits overtime hours worked by the nurse providing services to a member in a MassHealth managed care plan (ACO, MCO, SCO, OneCare, and PACE) to count in meeting the threshold to request and use CSN OT rates.

**Permissible Overtime Claims; Required Documentation for Home Health Agency Overtime Usage and Related Program Integrity**

Home health agencies may only submit claims for CSN OT when the following requirements are met:

1. no other nurses are available and employed by the agency that can adequately provide the CSN services without exceeding 40 hours (through the submission of a signed attestation); and
2. CSN services are provided to MassHealth fee for service or managed care members by the same agency nurse and exceed 40 hours in a given calendar week.

In accordance with 130 CMR 438.417 and 130 CMR 403.421, Home Health Agencies must participate in any quality management and program integrity processes as requested by MassHealth. Accordingly, Home Health Agencies will be required to maintain documentation demonstrating that the above requirements are met. MassHealth may request to have this documentation submitted to MassHealth or its designee at any time. Failure to submit requested documentation to the MassHealth agency, and in the timeframe requested, may result in administrative sanction in accordance with 130 CMR 450.238.

**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**

The MassHealth LTSS Provider Service Center is also open from 8 a.m. to 6 p.m., 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@masshealthltss.com](mailto:support@masshealthltss.com)

**Portal:** [www.MassHealthLTSS.com](http://www.MassHealthLTSS.com)

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PO Box 159108  
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