



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

MassHealth
Hospice Bulletin 26
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TO: Hospice Providers Participating in MassHealth

FROM: Mike Levine, Assistant Secretary for MassHealth

RE: Implementation Period for Face-to-Face Encounters

Introduction

This bulletin sets an implementation period for the new MassHealth face-to-face requirement established for MassHealth members under 130 CMR 437.000: *Hospice Services* as of January 1, 2023.

Face-to-Face Requirement

In accordance with 130 CMR 437.411(B): *Face-to-face Encounter*, the hospice physician or hospice nurse practitioner must have a face-to-face encounter with the MassHealth member when they anticipate the member will reach their third benefit period. The encounter must occur before, but no more than 30 calendar days before, the third benefit period recertification, and every benefit period recertification thereafter. The hospice physician or hospice nurse practitioner must attest in writing that they had a face-to-face encounter with the member.

This face-to-face encounter requirement applies to members receiving hospice services within the same hospice organization.

MassHealth considers a face-to-face encounter that occurs on the first day of the member's benefit period to be considered timely to meet the requirement in 130 CMR 437.411: *Certification of Terminal Illness*.

Face-to-Face Encounter for Dual Eligible Members and Members with Primary Insurance

For dual-eligible members, MassHealth considers the face-to-face encounter requirement met if it is conducted in accordance with federal regulations, and as such, providers do not need to conduct two separate face-to-face encounters.

For MassHealth members with a primary insurance that does not require a face-to-face encounter, MassHealth requires these members to have a face-to-face encounter completed as required in 130 CMR 437.411(B).

Implementation Rollout Period

Beginning January 1, 2023, hospice providers were given 30 days to comply with the face-to-face encounter for members who are already in their third benefit period, or any subsequent benefit period, after January 1, 2023.

MassHealth Website

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Questions

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

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