



Frequently Asked Questions (FAQ)

MassHealth PCA Program — Overtime

Overtime Rules

- **What is considered overtime?**

Overtime is any hours worked over 50 hours per week.

PCAs may only work more than 50 hours in one week with an approved overtime authorization. PCAs may never work more than 66 hours per week.

- **How does overtime authorization work?**

Consumers must ask for authorization through their PCM.

There are two types of overtime authorization:

- Temporary Authorization (1–12 weeks, up to 66 hours a week)
- Continuity of Care Authorization (for the duration of the PA for PCA services , up to 66 hours a week)

- **What counts towards overtime hours?**

Regular hours, overtime hours, holiday hours, and jury duty hours count towards overtime hours.

- **What doesn't count toward overtime hours?**

Travel time, PTO, EVV training, NHO, and other training hours don't count toward overtime.

- **What happens if a PCA works more than 50 hours without authorization?**

This constitutes a violation. Warning notices will be sent to the PCA and the consumer by mail and Everbridge notification after each violation. After the third violation, a referral will be made to MassHealth for possible termination from the program.

1. First violation ▶ first notice issued

2. Second violation ▶ second notice issued

3. Third violation ▶ referral to MassHealth for possible termination

- **Can overtime violations be removed from a PCA's employment record?**

Yes. MassHealth may remove violations due to emergencies or unforeseen situations. They will also be removed after five consecutive pay periods (10 weeks) of compliance.

Readmission to the Program

- **PCAs** may return after 9 months. If they violate the weekly-hour limit or overtime rule an additional three times after being rehired as a PCA, they will be terminated a second time and permanently barred from working as a PCA in the PCA program.
- **Consumers** may be reenrolled at MassHealth's discretion.

Additional Resources

- PCA Program Regulations: 130 CMR 422.000
- PCA Overtime Policy Overview: [Mass.gov PCA Overtime Rule](https://Mass.gov/PCA-Overtime-Rule)

Quick Reference Chart: PCA Weekly Hour Limit vs. Overtime Rules

Category	Weekly Hour Limit	Overtime Rules
Maximum Hours Allowed	No more than 66 hours per week (across all consumers)	Between 40 and 50 hours per week without authorization
With Authorization	No authorization allowed beyond 66 hours	Up to 66 hours per week with authorization
What Counts Toward these Limits	Regular, overtime, holiday, and jury duty hours	Regular, overtime, holiday, and jury duty hours
Excluded Hours from these Limits	Travel, PTO, EVV training, NHO, other training	Travel, PTO, EVV training, NHO, other training
Violation Trigger	Working more than 66 hours in a single week	Working more than 50 hours without an overtime authorization
Compliance Notices	3 notices ➤ termination after 3 rd violation	3 notices ➤ termination after 3 rd violation
PCA Termination Consequence	PCA banned for 9 months; permanent termination after 3 rd violation post-readmission	PCA banned for 9 months; permanent termination after 3 rd violation post readmission
Consumer Termination Consequence	Consumer may not be readmitted to the PCA Program	Consumer may not be readmitted to the PCA Program
Expungement	Violations reset after 10 weeks of compliance	Violations reset after 10 weeks of compliance
Readmission	PCA may return after 9 months; permanent ban after 3 rd violation	PCA may return after 9 months; permanent ban after 3 rd violation