



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
100 Hancock Street, 6th Floor
Quincy, Massachusetts 02171



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MassHealth

www.mass.gov/eohhs

NOTICE OF AGENCY ACTION

SUBJECT: MassHealth: Amendment to the Standard and CarePlus Alternative Benefit Plan State Plans (Durable Medical Equipment)

AGENCY: Massachusetts Executive Office of Health and Human Services (EOHHS)

EOHHS is amending its Standard and CarePlus Alternative Benefit Plan (ABP) State Plans (ABP State Plans). Specifically, EOHHS has updated its Medicaid definition of durable medical equipment (DME) at 130 CMR 409.402 to conform to the federal Medicaid definition of DME at 42 CFR 440.70. The federal definition of DME has been updated to clarify that covered Medicaid DME is not limited to items for “home use” but rather includes items appropriate for use “in any setting in which normal life activities take place.” EOHHS is therefore making conforming changes in its ABP State Plans. EOHHS has not limited coverage to home use and these amendments do not represent a change in covered services.

EPSDT and Tribal Consultation

The amendments will not affect how MassHealth provides Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services. EOHHS has followed the tribal consultation noticing process established under the American Recovery and Reinvestment Act of 2009 and set forth in its approved state plan.

Public Comments

EOHHS will hold a public comment period until September 24, 2021, relative to these ABP State Plan amendments. Individuals may submit written comments by emailing ehs-regulations@state.ma.us. Please submit electronic comments as an attached Word document or as text within the body of the email with the phrase “ABP Durable Medical Equipment” in the subject line. All submissions must include the sender’s full name and email address.

Individuals who are unable to submit comments by email should submit written comments to EOHHS, c/o Debby Briggs
100 Hancock Street, 6th Floor
Quincy, MA 02171

To be considered, written comments must be received by 5:00 p.m. on September 24, 2021.

Posted: September 10, 2021