

## **Notice of Proposed Agency Action**

**SUBJECT:** MassHealth: Payment for In-State Acute Outpatient Hospital Services, effective April 1, 2020

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

EOHHS hereby announces that it will apply a new payment methodology to in-state acute outpatient hospitals dispensing nasal naloxone packages through their emergency departments. Specifically, effective April 1, 2020, EOHHS will pay in-state acute outpatient hospitals dispensing nasal naloxone packages to MassHealth members through their emergency departments at the rate of \$125 per nasal naloxone package, instead of paying those hospitals for such services pursuant to the Adjudicated Payment per Episode of Care (APEC) payment methodology. A nasal naloxone package consists of two nasal spray inhalers, with each inhaler containing 4 mg of naloxone. This payment is in addition to any payment that the in-state acute outpatient hospital may receive for services rendered to MassHealth members pursuant to the acute inpatient and outpatient payment methods described in the RY20 Notice of Final Agency Action, published on or about October 30, 2019 (“Final RY20 Notice”). In-state acute outpatient hospitals may not bill for hospital-based physician services related to the dispensing of nasal naloxone packages through their emergency departments.

All changes to the hospital payment methods described in this Notice are in accordance with state and federal law and are within the range of reasonable payment levels to acute hospitals.

EOHHS estimates that annual aggregate expenditures for MassHealth state plan acute outpatient hospital services will increase by approximately \$30,000 as a result of this change.

Other than as set forth in this Notice, the RY20 acute inpatient and outpatient hospital payment methods described in the Final RY20 Notice remain unchanged. The Final RY20 Notice is available under the heading “Acute Hospital Rate Year 2020 Notices” on the “Special Notices for Acute Hospitals” page of the MassHealth website at <https://www.mass.gov/service-details/special-notices-for-acute-hospitals>. For further information, or to provide written comments regarding this action, you may also contact Steven Sauter at the Executive Office of Health and Human Services, MassHealth Office of Providers and Pharmacy Programs, 100 Hancock Street, 6<sup>th</sup> Floor, Quincy, MA 02171 or at [steven.sauter@state.ma.us](mailto:steven.sauter@state.ma.us). EOHHS specifically invites comments regarding the impact of the proposed action on member access to care.

**Statutory Authority:** M.G.L. c. 118E; St. 2019, c. 41; St. 2012, c. 224; 42 USC 1396a; 42 USC 1396b.

**Related Regulations:** 130 CMR 410, 415, 450; 42 CFR Parts 431 and 447.

Posted: March 23, 2020