

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PUBLIC HEARING

Under the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, the Executive Office of Health and Human Services (EOHHS) will hold a remote public hearing on Wednesday, August 2, 2023, relative to the emergency adoption of:

1. 10:00 a.m.: 101 CMR 310.00: Rates for Adult Day Health Services

The proposed amendments to 101 CMR 310.00 apply a 33% rate increase to all ADH rates, including transportation services. They would also provide two new rates designed to incentivize enrollment of additional members into ADH programs. First, a one-time re-engagement rate of \$2,000 per newly returning ADH member, and second, a one-time admission rate at \$2,000 per newly enrolled member.

2. 11:00 a.m.: 101 CMR 348.00: Rates for Day Habilitation Services

The proposed amendments to 101 CMR 348.00 increase the rates for day habilitation services by 33% (excluding DH services in nursing facilities and transportation services). They also provide two new rates designed to incentivize enrollment of additional members into DH programs. First, a one-time re-engagement rate of \$12,000 per newly returning DH member, and second, a one-time admission rate at \$2,000 per newly enrolled member.

The annualized total fiscal impact of the proposed amendments to regulation 101 CMR 348.00 and regulation 101 CMR 310.00 is estimated to be approximately \$117,680,000, which is an increase of approximately 49% in MassHealth spending for DH and ADH services.

The regulations went into effect as emergencies on July 5, 2023. There is no fiscal impact on cities and towns.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings. To join the hearing by phone, call (646) 558-8656 and enter meeting ID 935 397 8200# when prompted.

You may also submit written testimony instead of, or in addition to, live testimony. To submit written testimony, please email your testimony to ehs-regulations@mass.gov as an attached Word or PDF document or as text within the body of the email with the name of the regulation in the subject line. All written testimony must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on Wednesday, August 2, 2023. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the emergency regulation, go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@mass.gov or by phone at (617) 847-3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

EOHHS may adopt a final, revised version of the emergency regulation taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings.

July 12, 2023