

Division of Medical Assistance

**Commonwealth of Massachusetts
Office of Medicaid**

NOTICE OF PROPOSED NEW REGULATION

Under the authority of M.G.L. c. 118E, ss. 7 and 12 and in accordance with M.G.L. c. 30A, the Division of Medical Assistance (the Division) proposes to adopt the following new regulation.

130 CMR 464.000: Program of Assertive Community Treatment Services

It is anticipated that this new regulation will not go into effect before September 1, 2025. There is no fiscal impact on cities and towns.

The proposed new regulation, 130 CMR 464.000, sets forth the requirements for programs of assertive community treatment (PACT) providers to enroll as MassHealth providers and establishes PACT providers as a new provider type. Providers participating as PACT providers have been billing the Department of Mental Health. PACT providers will instead now bill MassHealth for fee-for-service members.

The purpose of this new regulation is to regulate and enroll PACT providers into the MassHealth fee-for-service program. The regulation will accomplish the following.

1. Establish PACT providers as a provider type that may bill MassHealth for services.
2. Define PACT services.
3. Establish the following payable services: intake; initial assessment and initial treatment planning; comprehensive assessment; Program of Assertive Community Treatment services; employment and vocational services; housing services and supports; pharmacotherapy; referral services, including crisis intervention referrals; and discharge planning.
4. Establish program administration and programmatic requirements including member and provider eligibility, nonpayable services, nonpayable circumstances, telehealth, staffing and supervision requirements, recordkeeping requirements, and maximum allowable fees.

There may be costs to operationalize new providers under this new regulation to permit PACT providers to begin to bill MassHealth for PACT services. These costs may include costs associated with complying with reporting and staffing requirements.

To submit data, views, or arguments concerning this proposed new regulation, please email them to masshealthpublicnotice@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 submissions must include the sender's full name, mailing address, and

organization or affiliation, if any. Individuals who are unable to submit comments by email should mail comments to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Comments will be accepted through 5:00 p.m. on Friday, May 30, 2025. The Division specifically invites comments as to how the new regulation may affect beneficiary access to care.

All persons desiring to review the current draft of the proposed new regulation may go to www.mass.gov/info-details/masshealth-public-notices or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

The Division may adopt a revised version of the proposed new regulation taking into account relevant comments and any other practical alternatives that come to its attention.

May 9, 2025