

**Commonwealth of Massachusetts
Office of Medicaid**

NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 6A, section 16 and in accordance with M.G.L. c. 30A, a remote public hearing will be held on October 25, 2021, at 1:00 p.m. relative to the adoption of:

130 CMR 407.000: Transportation Services

The proposed amendments to 130 CMR 407.000 reflect new federal requirements added by the Consolidated Appropriations Act, 2021. These amendments will satisfy the federal requirement that each state provide for a mechanism, which may include attestation, that ensures any provider or individual driver of non-emergency transportation to medically necessary services receiving Medicaid payments (excluding any public transit authority) meets specified minimum requirements. These minimum requirements include that

- (A) Each provider and individual driver is not excluded from participation in any federal health care program and is not listed on the exclusion list of the Inspector General of the Department of Health and Human Services;
- (B) Each individual driver has a valid driver's license;
- (C) Each provider has in place a process to address any violation of a state drug law; and
- (D) Each provider has in place a process to disclose to the state Medicaid program the driving history, including any traffic violations, of each individual driver employed by such provider.

There are technical edits in the entire 130 CMR 407 for grammar, formatting, and updated cross references.

The proposed regulation is planned to go into effect on December 27, 2021. There is no fiscal impact on cities and towns.

If you would like to testify at the hearing, please register online at www.mass.gov/service-details/masshealth-public-hearings. To join the hearing online, go directly to [EHS Public Hearings Meeting Room](https://zoom.us/join). Alternatively, go to <https://zoom.us/join> and enter meeting ID 935 397 8200 and passcode 800606. 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 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 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 must be submitted by 5:00 p.m. on Monday, October 25, 2021. MassHealth specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the current draft of the proposed actions, go to www.mass.gov/service-details/masshealth-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@state.ma.us 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.

MassHealth may adopt a revised version of the proposed actions 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/masshealth-public-hearings.

October 4, 2021