

**Commonwealth of Massachusetts  
Office of Medicaid**

**NOTICE OF PUBLIC HEARING**

Pursuant to the authority of M.G.L. c. 6A, s. 16 and in accordance with M.G.L. c. 30A, a public hearing will be held on Friday, December 20, 2019, at 10:00 a.m. in the First Floor Conference Room, 100 Hancock Street, Quincy, MA relative to the adoption of:

**130 CMR 406.000: Pharmacy Services; 130 CMR 405.000: Community Health Center Services; and 130 CMR 410.000: Outpatient Hospital Services**

The proposed amendments will result in the following changes:

- Require or allow certain prescribed drugs to be dispensed in a 90-day supply (instead of the standard 30-day supply) in order to enhance continuity of care, reduce co-pays for MassHealth members, and produce savings by reducing the number of paid dispensing fees;
- Provide clear guidance to providers about requirements concerning the acceptance of cash payments from MassHealth members for prescribed drugs in order to enhance program integrity and compliance with MassHealth rules;
- Increase the ability for pharmacies to administer and be paid for certain vaccines for MassHealth members younger than 18-years-old as allowed by the Department of Public Health;
- Update the day supply limit for drugs used for family planning to allow up to a 365-day supply;
- Give MassHealth the authority to exclude certain drugs from purchase through the 340B Drug-Pricing Program in the future (note that the proposed amendments expressly require that any use of this authority is done consistent with the notice requirements set forth in state law); and
- Make technical changes to update terminology, enhance consistency with other regulations and guidance, and otherwise improve clarity.

The proposed regulation is planned to go into effect no sooner than February 21, 2020. There is no fiscal impact on cities and towns.

Individuals who notify EOHHS of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers may notify EOHHS of their intention to testify at the hearing by registering online at [www.mass.gov/service-details/masshealth-public-hearings-0](http://www.mass.gov/service-details/masshealth-public-hearings-0). Individuals may also submit written testimony by emailing [masshealthpublicnotice@state.ma.us](mailto:masshealthpublicnotice@state.ma.us). Please submit electronic testimony as an attached Word 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 testimony by email should mail written testimony to EOHHS, c/o D. Briggs, 100

Hancock Street, 6<sup>th</sup> Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on Friday, December 20, 2019.

All persons desiring to review the current draft of the proposed actions may go to [www.mass.gov/service-details/masshealth-public-hearings-0](http://www.mass.gov/service-details/masshealth-public-hearings-0) or request a copy in writing or in person from MassHealth Publications, 100 Hancock Street, 6<sup>th</sup> Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at [ADAaccommodations@state.ma.us](mailto: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-0](http://www.mass.gov/service-details/masshealth-public-hearings-0).

November 29, 2019