

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

NOTICE OF PUBLIC HEARING

Pursuant to the provisions 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 public hearing on Monday, March 23, 2020, at 10:00 a.m., on the 21st floor, One Ashburton Place, Boston, MA relative to the emergency adoption of amendments to:

101 CMR 313.00: Rates for Freestanding Clinics Providing Abortion and Sterilization Services

Regulation 101 CMR 313.00 governs the rates of payment used by state governmental units to pay eligible state-licensed freestanding ambulatory abortion or sterilization clinics that provide abortion and/or sterilization services to publicly aided individuals. The amendments to 101 CMR 313.00 establish services and payment rates related to later-term abortions, specifically code S2260, “induced abortion 17 to 24 weeks,” as well as appropriate modifiers. The regulation’s payment rates for all other services remain at their current levels.

EOHHS is promulgating these amendments to ensure that payment rates are consistent with efficiency, economy, and quality of care, and to satisfy the requirements of M.G.L. 118E, sections 13C and 13D. It is estimated that the amendments will result in annual aggregate MassHealth expenditures increasing by approximately \$8,000 to \$266,000 over base spending, depending upon the nature of the services rendered by the individual provider. There is no fiscal impact on cities and towns. The amendments do not impose new costs on small businesses; the impact on small business providers will vary based on the volume of services provided. The amended regulation went into effect on February 21, 2020.

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/executive-office-of-health-and-human-services-public-hearings. Individuals may also submit written testimony by emailing ehs-regulations@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, 6th Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on Monday, March 23, 2020. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

All persons desiring to review the current draft of the emergency regulation may go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings



[hearings](#) or request a copy in writing or in person 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.

EOHHS may adopt a 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.

March 2, 2020