

**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 Monday, March 14, 2022, at 10 a.m. relative to the adoption of amendments to:

130 CMR 504.000: MassHealth: Citizenship and Immigration and 130 CMR 518.000: MassHealth: Citizenship and Immigration

Compact of Free Association (COFA) is an agreement between the United States and the three Pacific Island sovereign states known as Freely Associated States (FAS). FAS citizens are not citizens or nationals of the United States, but FAS citizens admitted to the United States under the Compacts (known as COFA migrants) may reside, work, and study in the United States for an unlimited length of time.

As of December 27, 2020, COFA migrants are now eligible to receive full MassHealth coverage as Qualified Non-Citizens (QLP) under section 208 of the Consolidated Appropriations Act of 2021. Under the proposed amendments to 130 CMR 504.000 and 130 CMR 518.000, COFA migrants will not be subject to the five-year bar if they maintain COFA migrant status. If a COFA migrant adjusts to legal permanent resident status (LPR), they may be subject to the five-year bar.

Additional updates were also made to differentiate Native Americans with at least 50 percent American Indian blood who were born in Canada, pursuant to section 289 of the INA, or other tribal members born in territories outside of the U.S. pursuant to 25 U.S.C. 450b(e) as a Medicaid specific benefit.

The proposed regulation is planned to go into effect no sooner than July 22, 2022. 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/masshealth-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 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 will be accepted through 5:00 p.m. on Monday, March 14, 2022. 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@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.

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.

February 18, 2022