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## NOTICE OF PUBLIC HEARING

**Coronavirus Update:** Due to the coronavirus emergency, EOHHS is holding public hearings remotely. All public hearings will occur on the advertised dates and times. Details and instructions for participating and testifying remotely (such as through phone line or online connection) at the remote public hearings will be published online at [www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings](http://www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings) and are included in this notice below. If you plan to testify at the remote hearing, EOHHS strongly encourages you to register in advance; see below for instructions. EOHHS encourages you to submit written testimony in addition to, or instead of, providing testimony at the hearing; see below for instructions. Additionally, requests for copies of proposed regulations will not be accepted in person. Details for obtaining copies of proposed regulations are set forth below.

To join the hearing online, go to <https://statema.webex.com>, and enter meeting ID 644 151 469. To join the hearing by phone, call (866) 692-3580, and enter meeting ID 644 151 469# when prompted. As an alternative to attending the remote hearing, you can view an unofficial live written recording of the hearing in progress provided by the Communication Access Realtime Transcription (CART) service at <https://hricart.1capapp.com/event/eohhs>.

Pursuant to the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, a public hearing will be held on Tuesday, January 26, 2021, at 10:00 a.m. relative to the proposed amendments to:

### **101 CMR 307.00: Rates for Psychiatric Day Treatment Center Services**

These actions are being taken pursuant to the requirements of M.G.L. c. 118E, § 13D. 101 CMR 307.00. governs the rates of payment used by state governmental units, including MassHealth, for certain psychiatric day treatment center services rendered by eligible providers.

The rates to be established under the proposed regulation contain changes and updates from the current rates established for psychiatric day treatment services under 101 CMR 307.00 as follows: Rates have been increased by 5.75% as a result of using the base period of 2018Q3-2019Q2, and the rate period of 2021Q3-2023Q2. The proposed rate for 90887 will refer to the rate for this code established in 101 CMR 306.00: *Rates of Payment for Mental Health Services Provided in Community Health Centers and Mental Health Centers*.



There are no other proposed rate increases for services under this regulation.

EOHHS is making these changes, subject to federal approval, to ensure that payments are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities, and to ensure that payment rates are consistent with efficiency, economy, and quality of care. It is estimated that annual aggregate MassHealth expenditure will increase by approximately \$301,000 over base spending as a result of the proposal. The actual change in annualized expenditures may vary depending on actual utilization of services. There is no fiscal impact on cities and towns.

The proposed amendment is planned to go into effect for dates of service provided on or after July 1, 2021.

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](http://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](mailto: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, 6<sup>th</sup> Floor, Quincy, MA 02171. Written testimony must be submitted by 5:00 p.m. on January 26, 2021. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care.

All persons who want to review the current draft of the proposed regulation may go to [www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings](http://www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings) or request a copy in writing 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.

EOHHS may adopt a revised version of the proposed amendments 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](http://www.mass.gov/service-details/executive-office-of-health-and-human-services-public-hearings).

January 1, 2021