

**Commonwealth of Massachusetts  
Office of Medicaid**

**NOTICE OF PUBLIC HEARING**

**Coronavirus Update:** Due to the coronavirus emergency, MassHealth 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/masshealth-public-hearings](http://www.mass.gov/service-details/masshealth-public-hearings) and are included in this notice below. If you plan to testify at the remote hearing, MassHealth strongly encourages you to register in advance; see below for instructions. MassHealth 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.

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, February 12, at 12 p.m. relative to the adoption of:

**130 CMR 438.000: Continuous Skilled Nursing Agency**

The new proposed regulation 130 CMR 438.000 will establish a new provider type and standalone provider regulation for agency-based providers of MassHealth-covered Continuous Skilled Nursing (CSN) services. Previously, the MassHealth provider requirements for the provision of agency-based CSN services were located within 130 CMR 403.000: Home Health Agency. The new regulation sets forth the requirements for an entity's enrollment as a MassHealth provider of CSN services, the requirements for the delivery of CSN services, and the member eligibility requirements for the receipt of these services.

The proposed regulation is planned to go into effect no sooner than May 1, 2021. There is no fiscal impact on cities and towns.

Individuals who notify MassHealth of their intent to testify at the hearing will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to notify MassHealth of their intention to testify at the hearing by registering online at [www.mass.gov/service-details/masshealth-public-hearings](http://www.mass.gov/service-details/masshealth-public-hearings). Individuals may also submit written testimony by emailing [masshealthpublicnotice@mass.gov](mailto:masshealthpublicnotice@mass.gov). 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, February 12.

All persons desiring to review the current draft of the proposed actions may go to [www.mass.gov/service-details/masshealth-public-hearings](http://www.mass.gov/service-details/masshealth-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.

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](http://www.mass.gov/service-details/masshealth-public-hearings).

January 22, 2021