

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

NOTICE OF PUBLIC HEARING

Under the authority 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 remote public hearing on Friday, October 27, 2023, at 9 a.m. relative to the emergency adoption of amendments to the following regulation.

101 CMR 327.00: Rates for Ambulance and Wheelchair Van Services

The regulation went into effect as an emergency on September 29, 2023. There is no fiscal impact on cities and towns.

The proposed amendments adjust the supplemental payment methodology for nonpublic ambulance providers to reflect differing payment rates depending on Emergency Medical Service (EMS) regions and classifications of nonpublic ambulance providers (for-profit, non-profit hospital affiliated; and other non-profit). These changes are intended to take effect in the first quarter of the state fiscal year 2024, no later than September 29, 2023. To be eligible for this supplemental payment, an ambulance provider must be nongovernmental, licensed by the department of public health under section 6 of chapter 111C of the Massachusetts General Laws, and enrolled as a provider for the Massachusetts Medicaid program ("MassHealth").

EOHHS is making these changes, subject to federal approval, to increase MassHealth members' access to medical services, and further the sustainability of services provided by nonpublic ambulance providers. These supplemental payments will be based on nonpublic ambulance service providers' Medicaid fee-for-service emergency and nonemergency transports. The changes are not projected to change annual aggregate MassHealth fee-for-service expenditures.

The payments to eligible nonpublic ambulance providers described above shall not exceed the sum of the difference between the Medicaid payments otherwise made to these providers for the provision of ambulance services and the amount that would have been paid at the equivalent average commercial rate, as determined by EOHHS. They will be paid periodically, after the end of each quarter of relevant utilization.

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/executive-office-of-health-and-human-services-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 ehs-regulations@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 October 27, 2023. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To review the emergency regulation, go to 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, 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.

EOHHS may adopt a final, 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.

October 6, 2023