

**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, February 9, 2024, at 10:00 a.m. relative to the adoption of amendments to the following regulation.

**101 CMR 314.00: Rates for Dental Services**

EOHHS is proposing amendments to 101 CMR 314.00, which governs payment rates paid by MassHealth and other governmental purchasers for dental services rendered to publicly aided individuals by eligible providers. The proposed amendments update rates for certain dental services, effective for dates of service on or after June 1, 2024. The proposed amendments:

- 1) Apply a prospective cost adjustment factor (CAF) of 2.65% to increase rates for certain highly utilized adult dental services. The applicable codes are adult dental services primarily related to preventive, diagnostic, extraction, and palliative services (codes D0140, D0150, D0210, D0272, D0274, D0330, D7140, and D9110).
- 2) Apply a retrospective CAF of 13.36% to increase rates for certain other highly utilized adult and Early and Periodic Screening, Diagnostic and Treatment (EPSDT) services. The retrospective CAF is applied to the adult rate for periodic oral examination (code D0120), prophylactic service (code D1110), and to the adult and EPSDT rates for three endodontic services (codes D3310, D3320 and D3330). This maintains parity for adult and EPSDT endodontic service rates.
- 3) Establish rates for certain codes currently set at individual consideration (IC). Adult rates for codes D0145, D5225, D5226, D8010, D8020, D8030, and D8040 remain at IC.
- 4) Establish rate parity for comparable composite and amalgam adult dental services. Adult rates for composite oral restorative service codes D2391, D2392, D2393 and D2394 are set at the same adult rates for comparable amalgam restorative services.

All other adult and EPSDT rates remain at their current levels. The CAFs were calculated using the optimistic forecast of the Massachusetts-specific Consumer Price Index Spring 2023 developed by S&P Global Market Intelligence.

EOHHS is proposing these changes, subject to federal approval, to ensure that payment rates are consistent with efficiency, economy, and quality of care and satisfy the requirements of M.G.L. 118E, sections 13C and 13D. It is estimated that annual aggregate fiscal impact on the fee-for-service (FFS) MassHealth expenditure will increase by approximately \$9.9 million as a result of these proposed rates.

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/executive-office-of-health-and-human-services-public-hearings](http://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](mailto: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, 6<sup>th</sup> Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on Friday, February 9, 2024. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To review the current draft of the proposed regulation, go to [www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings](http://www.mass.gov/info-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@mass.gov](mailto: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 revised version of the proposed 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/info-details/executive-office-of-health-and-human-services-public-hearings](http://www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings).

January 19, 2024