

**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 23, 2024, at 2:00 p.m. relative to the adoption of amendments to the following regulation.

**101 CMR 413.00: Payments for Youth Intermediate-term Stabilization Services**

The proposed regulation contains rates effective for dates of service on or after January 1, 2024. There is no fiscal impact on cities and towns.

Pursuant to M.G.L. Chapter 118E, Section 13D, EOHHS is required to establish and biennially review rates to be paid by governmental units to providers of social service programs. In accordance with this requirement, the rates for youth intermediate-term stabilization services are being updated to include an increase by cost adjustment factor (CAF) of 2.71%. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Spring 2023 Forecast, optimistic scenario data. The CAF reflects the period between the rates' base period (calendar year 2023 Q4) and the prospective period of calendar years 2024 and 2025. As part of the workforce initiative, all staff salaries have been benchmarked to the Massachusetts Bureau of Labor Statistics (BLS) median wages as dated May 2022 at the 53<sup>rd</sup> percentile. The tax and fringe rate has been benchmarked to 27.38% and the administrative allocation has been benchmarked to 12%.

The total estimated FY24 annualized cost to state government from the increase in rates established by these proposed amendments is \$8,425,434, which represents an increase of 20.71% over FY23 spending of approximately \$40.6 million. These costs will not be realized until January 1, 2024, at which point the FY24 fiscal impact to state government will be approximately \$4.2M for the increase to existing rates. The increase in spending in FY24 will be covered through a combination of the Chapter 257 Reserve Account and the purchasing agency's FY24 budget.

Additionally, certain congregate care rates are being updated to reflect the intended rates effective July 1, 2023. These rates were included in the previous public hearing on these regulations, but were not incorporated into the final version of the rate due to a technical error in the filing process. Note: The fiscal impact of these congregate care updates has already been accounted for in the previous regulatory amendment process, and no further state costs will be incurred.

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-](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 23, 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/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. To view or download related supporting materials, go to [www.mass.gov/service-details/proposed-regulations-supporting-materials](http://www.mass.gov/service-details/proposed-regulations-supporting-materials).

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/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).

February 2, 2024