

**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 Monday, May 20, 2024 at 11:00 a.m. relative to the adoption of amendments to the following regulation.

101 CMR 343.00: Rates for Hospice Services

The proposed regulation contains rates effective for dates of service on or after October 1, 2023. There is no fiscal impact on cities and towns.

Pursuant to M.G.L. c. 118E, s. 13D, the Executive Office of Health and Human Services (EOHHS) is required to biennially establish rates for non-institutional health care services, which includes hospice services provided under the MassHealth program. Additionally, the Centers for Medicare & Medicaid Services (CMS) annually sets the minimum Medicaid hospice rates, which are to be effective on October 1 of each year, and which EOHHS uses as the base rates.

EOHHS has reviewed CMS' Hospice Wage Index and Payment Rate Update for Federal FY 2024 and has applied CMS methodology to the previous rate period for MassHealth Hospice rates. The percentage change in individual rates between the previous rate period ending September 30, 2023, and this year range from 1.84% to 5.03% for both compliant and noncompliant rates.

Pursuant to 101 CMR 343.04(3)(b), the rates for hospice services were previously updated via Administrative Bulletin 24-05, and in accordance with CMS-required changes to these rates. The estimated aggregate annual fiscal impact for MassHealth is an increase of \$183,597 (2.84%), assuming all providers are compliant, and \$182,853 (2.88%), assuming all providers are noncompliant.

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 May 20, 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 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 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.

April 26, 2024