

**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, January 6, 2025, at 10:00 a.m. relative to the adoption of amendments to the following regulation.

101 CMR 414.00: Rates for Family Stabilization Services

The proposed regulation contains rates effective for dates of service on or after January 1, 2025. There is no fiscal impact on cities and towns.

101 CMR 414.00 governs the payment rates for family stabilization services provided to publicly aided individuals by governmental units. These services are purchased by the Department of Developmental Services (DDS), the Massachusetts Commission for the Blind (MCB), the Department of Children and Families (DCF), and the Department of Mental Health (DMH).

Pursuant to M.G.L. Chapter 118E, Section 13D, EOHHS is required to establish, by regulation, and biennially review rates to be paid by governmental units to providers of social service programs. In accordance with this requirement, the rates for family stabilization services, specific to the Department of Mental Health's flexible supports program rates, are being updated to include an increase by a cost adjustment factor (CAF) of 2.02%. Two new rates have also been added for a clinician level 3 and a support specialist. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Spring 2024 Forecast, optimistic scenario data. The CAF reflects the period between the rates' base period (Calendar Year 2024 Q4) and the prospective period (Calendar Year 2025 through Calendar Year 2026). The staff salaries have been benchmarked to the Massachusetts Bureau of Labor Statistics (BLS) median wages as dated May 2023 at the 53rd percentile. The tax and fringe rate has been benchmarked to 24.97%. This benchmark is derived from the MA Comptrollers FY25 proposed rate less terminal leave and retirement. The administrative allocation has been benchmarked to 12% to remain consistent across all Chapter 257 regulations.

The total annualized cost to state government from the increase in rates amended by this regulation is \$3,384,205, which represents an increase of 15.91% over FY23 spending of approximately \$21.27 million. This cost will not be realized until January 1, 2025, at which point the FY25 cost to state government will be \$1,692,102. This will be covered through a combination of the Chapter 257 Reserve Account and the purchasing agencies' FY25 budgets.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/info-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 Monday, January 6, 2025. 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 or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171. To view or download related supporting materials, go to www.mass.gov/info-details/proposed-regulations-supporting-materials.

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/info-details/executive-office-of-health-and-human-services-public-hearings.

December 6, 2024