

**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, March 21, 2025, at 11:00 a.m. relative to the emergency adoption of amendments to the following regulation.

101 CMR 417.00: Rates for Certain Elder Care Services

The regulation went into effect as an emergency on January 1, 2025. There is no fiscal impact on cities and towns.

101 CMR 417.00 governs the payment rates for certain elder care services provided to publicly aided individuals by governmental units.

Pursuant to M.G.L. Chapter 118E, Section 13D (f/k/a Chapter 257 of the Acts of 2008), 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 statutory requirements, the rates for certain elder care services are being updated to include an increase by a cost adjustment factor (CAF) of 2.02%. 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 years 2025 and 2026. The proposed rates for this service have incorporated staff salaries benchmarked to the most recent Massachusetts Bureau of Labor Statistics (BLS) median wages for 2023 at the 53rd percentile. The tax and fringe rate has been benchmarked to 24.97%. This benchmark is derived from the MA Comptroller's FY25 proposed rate less terminal leave and retirement.

The total FY25 cost to state government from the increase in rates established by this regulation is approximately \$20.08 million, which represents a total increase of 7.16% over FY24 spending of approximately \$280.4 million. The annualized cost to state government will be \$10.04 million, which will be covered through the Chapter 257 Reserve Account and the purchasing agency's operating budget.

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 Friday, March 21, 2025. 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/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 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/info-details/executive-office-of-health-and-human-services-public-hearings.

February 28, 2025