

**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, April 4, 2025, at 1 p.m. relative to the adoption of amendments to the following regulation.

101 CMR 310.00: Rates for Adult Day Health Services

Pursuant to M.G.L. Chapter 118E, Section 13D, the Executive Office of Health and Human Services (EOHHS) is required to establish and periodically review the rates to be paid by governmental units to providers of noninstitutional healthcare services, including adult day health services provided under the MassHealth program.

Effective for dates of service provided on and after July 1, 2025, EOHHS proposes to decrease the per diem and partial per diem rates for the basic level of care (codes S5102 and S5101, respectively) and eliminate the admission and re-engagement services (codes S5105 and S5105KZ, respectively). All other adult day health rates, specifically the rates for the complex level of care and transportation services, are proposed to remain at current levels.

These rate updates are intended to maintain member access to all services. Complex care and transportation rates are maintained at neutral levels to preserve current support for programs serving individuals with higher needs and to ensure continued access through stable transportation services.

EOHHS is proposing these amendments, subject to federal approval, to ensure that payment rates are consistent with efficiency, economy, and quality of care, and to satisfy the requirements of M.G.L. 118E, sections 13C and 13D. The estimated aggregate annual fiscal impact of the proposed amendments is a savings of \$5.59 million, which represents a 4.85% decrease over FY2024 base spending. There is no fiscal impact on cities and towns. The proposed amendments are not anticipated to impose new costs on small businesses, and any impact on small business providers will vary based on the volume of services provided.

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 p.m. on April 4, 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.

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.

March 14, 2025