

**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 three remote public hearings on Friday, May 16, 2025, at the respective times listed below, relative to the adoption of amendments to the regulations described below.

Pursuant to M.G.L. Chapter 118E, Section 13D (f/k/a Chapter 257 of the Acts of 2008), EOHHS is required to establish the rates to be paid by governmental units for social service programs. The rates for services in the following three chapters are being updated to include an increase by a cost adjustment factor (CAF) of 3.25%, effective July 1, 2025. The CAF was determined by using baseline and prospective Massachusetts Economic Indicator data from IHS Economics – Fall 2024 Forecast, baseline scenario data. The CAF reflects the period between the rates' base period (calendar year 2025 Q2) and the prospective period of fiscal years 2026 and 2027. In addition to the FY24 CAF, the rates for all services have been updated to include all staff salaries, benchmarked to the most recent Massachusetts Bureau of Labor Statistics (BLS) wages dated May 2023 at the 53rd percentile. For all services, the administrative allocation has been benchmarked to 12% and the tax and fringe rate has been benchmarked to 24.97%. This benchmark is derived from the MA Comptroller's FY25 approved rate less terminal leave and retirement. The language in the Severability section has also been updated for consistency across EOHHS rate regulations.

The proposed regulations contain rates effective for dates of service on or after July 1, 2025. There is no fiscal impact on cities and towns. The projected increase in spending in FY26 will be covered through the Chapter 257 Reserve Account.

1. 9:00 a.m.: 101 CMR 421.00: Rates for Adult Housing and Community Support Services

101 CMR 421.00 governs the payment rates for adult housing and community support services provided to publicly aided individuals by governmental units. These services are purchased by the Department of Mental Health.

The total annualized cost to state government from the proposed amendments to this regulation is approximately \$711,000, which represents an increase of 8.74% over FY24 state spending of approximately \$8.13 million.

2. 10:00 a.m.: 101 CMR 428.00: Rates for Certain Independent Living Communities and Services

101 CMR 428.00 governs the payment rates paid by governmental units for certain independent living communities and services provided to publicly aided individuals. These services are purchased by the Massachusetts Commission for the Deaf and Hard of Hearing, MassAbility (formerly the Massachusetts Rehabilitation Commission), and the Department of Mental Health.

The total annualized cost to state government from the proposed amendments to this regulation is approximately \$848,934, which represents an increase of 10.14% over FY24 spending of approximately \$8.36 million.

3. 11:00 a.m.: 101 CMR 431.00: Rates for Certain Respite Services

101 CMR 431.00 governs the payment rates for certain respite services provided to publicly aided individuals by governmental units. Services with rates established by this regulation are purchased by the Department of Mental Health.

The total annualized cost to state government from the proposed amendments to this regulation is approximately \$5.2 million, which represents an increase of 15.6% over FY24 projected spending of approximately \$33.3 million.

To register to testify at any of the hearings and to get instructions on how to join the hearings online, go to www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings. To join the hearings 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, May 16, 2025. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To review the current drafts of the proposed regulations, 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 revised versions of the proposed regulations 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.

April 25, 2025