

**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, July 11, 2025, at 10:00 a.m. on the adoption of amendments to the following regulation.

101 CMR 323.00: Rates for Hearing Services

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

Under 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 for noninstitutional health care services, including payment rates for hearing services. EOHHS proposes setting fixed rates for codes 92622 and 92623 (diagnostic analysis, programming, and verification of an auditory osseointegrated sound processor, first 60 minutes and each additional 15 minutes, respectively). These are established in 101 CMR 323.00 with rates as individual consideration (IC) via an administrative bulletin, AB 24-07, effective January 1, 2024. The proposed amendments set the rate for code 92622 at \$48.08 and the rate for code 92623 at \$12.37. EOHHS calculated each proposed rate by averaging the rates for the corresponding code in comparable states. All other rates are proposed to remain at their current levels.

There is no estimated aggregate annual fiscal impact of the proposed amendments, as there is no current utilization of the two codes for which EOHHS proposes to establish fixed rates. 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.

EOHHS is making these changes, subject to federal approval, to ensure that payments are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities and to ensure that payment rates are consistent with efficiency, economy, and quality of care.

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 it 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. Those who cannot email written testimony should mail it to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. July 11, 2025. EOHHS specifically invites comments on how the amendments may affect beneficiary access to 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.

June 6, 2025