

**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, November 14, 2025, at 10:00 a.m. relative to the adoption of amendments to the following regulation.

101 CMR 349.00: Rates for Early Intervention Program Services

The proposed regulation contains rates effective for dates of service on or after July 1, 2026. There is no fiscal impact on cities and towns.

101 CMR 349.00 governs rates of payment to be used by all governmental units making payments to eligible providers for Early Intervention program services provided to publicly assisted clients.

Services with rates established by this regulation are purchased by the Department of Public Health (DPH) and MassHealth (MH). 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 the rates to be paid by governmental units for social service programs, which includes Early Intervention program services. In accordance with this requirement, the rates for Early Intervention program services are being updated to include an increase by a cost adjustment factor (CAF) of 2.37%. The CAF is based on Global Insight's spring 2025 cost projections data, at the baseline level. The CAF is prospective and calculated from FY26, quarter 4, and projects through the prospective period of CY26 and CY27. In addition to the CAF, the proposed rates incorporate staff salaries benchmarked to the most recent, May 2024, Bureau of Labor Statistics at the 53rd percentile. The occupancy expenses are benchmarked to the FY24 Uniform Financial Statements and Independent Auditor's Report (UFR), and the other programmatic expenses are based on the purchasers' recommendation and/or the prior benchmark inclusive of previous CAFs. The administrative allocation is 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 total estimated FY27 annualized fiscal impact of the proposed amendment is \$6.14 million (based upon FY25 spending of \$64.9M). The estimated fiscal impact to MassHealth is \$2.97 million and the estimated fiscal impact to DPH is \$3.17 million. These amendments represent an increase of approximately 9.46% over FY25 spending. The increases to DPH spending will be covered through the Chapter 257 Reserve Account.

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, November 14, 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.

October 24, 2025