

**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 20, 2026, at 9 a.m. relative to the adoption of amendments to the following regulation.

101 CMR 446.00: COVID-19 and Public Health Emergency Payment Rates for Certain Community Health Care Providers

EOHHS proposes to rescind the regulation effective for dates of service on or after September 11, 2026. There is no fiscal impact on cities and towns.

EOHHS proposes rescinding 101 CMR 446.00 in its entirety. EOHHS adopted 101 CMR 446.00 to establish COVID-19 and public health emergency payment rates for certain community health care providers.

As described below, the codes with payment rates in 101 CMR 446.00 are either no longer covered by a governmental payer or are now set in other EOHHS pricing regulations, so 101 CMR 446.00 is no longer needed. No government payer is currently paying for remote patient monitoring using the rates in 101 CMR 446.00. Rates for COVID-19 vaccines, vaccine administration, and treatment are set under 101 CMR 317.00: *Rates for Medicine Services*. Rates for over-the-counter (OTC) COVID-19 tests and formula dispensed by pharmacies will be set under 101 CMR 322.00: *Rates for Durable Medical Equipment, Oxygen and Respiratory Therapy Equipment*. Finally, in-home vaccination services and waste-prevention vaccinations are not currently covered by MassHealth or any other governmental payer.

EOHHS anticipates adding delivery fees for prescribed drugs to 101 CMR 331.00: *Prescribed Drugs*, at the same rate, but this has not yet been formally proposed. If delivery fees are not added to 101 CMR 331.00, EOHHS will retain the delivery-fee provisions currently in 101 CMR 446.00.

EOHHS expects aggregate MassHealth fiscal savings of \$63,000 annually because this change will eliminate the minimum payment of \$12.00 per OTC COVID-19 test, with prices instead set at wholesale acquisition cost.

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 March 20, 2026. 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.

February 27, 2026