The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

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**NOTICE OF PUBLIC HEARING**

Notice is hereby given pursuant to M.G.L. c. 30A, §2, that the Department of Public Health will hold a public hearing and comment period on the proposed amendments to 105 CMR 140.000 *Licensure of Clinics* regarding birth centers and 105 CMR 130.000: *Hospital Licensure* regarding birth centers and tiering of stroke services and on the proposed rescission of 105 CMR 142.000 *Operation and maintenance of birth centers.* These proposed amendments and proposed recission were filed on September 20, 2024.

In August 2024, *An Act promoting access to midwifery care and out-of-hospital birth options* was passed and include a number of requirements for “freestanding birth centers” for the Department to include in the clinic licensure regulations. The proposed amendments to both the hospital and clinic licensure regulations, consistent with the statutory changes, update the requirements for hospitals and clinics providing birth center services.

Additionally, the Department is proposing to rescind the now obsolete regulations 105 CMR 142.000, *Operation and maintenance of birth centers*, as all content of 105 CMR 142.000 was lifted and integrated into 105 CMR 130.000 in 2017 and into 105 CMR 140.000 in 2021.

The Department is further proposing changes to 105 CMR 130.000: *Hospital Licensure*, in accordance with Section 90 of the Massachusetts FY24 budget, approved August 2023, which requires the Department to promulgate regulations that create statewide criteria for designating hospitals in a tiered system.

The public hearing will be held on **October 28, 2024, at 1:00p.m**. The hearing will be conducted on a **moderated conference call**. The information for the moderated conference call is:

Dial-in Telephone Number: **800-619-7796**

Participant Passcode: **1474860**

To Testify Press: \*1

A copy of the proposed amendments to 105 CMR 130.000 and 105 CMR 140.000, as well as the proposed rescission of 105 CMR 142.000, may be viewed on the Department’s website at <http://mass.gov/dph/proposed-regulations> or requested from the Office of the General Counsel by calling 617-624-5220.

Speakers who testify at the public hearing are requested to provide a copy of their oral testimony. The Department encourages all interested parties to submit written testimony electronically to [Reg.Testimony@mass.gov](mailto:Reg.Testimony@mass.gov), or by mail to William Anderson, Office of the General Counsel, Department of Public Health, 250 Washington Street, Boston, MA 02108. Please submit electronic testimony as an attached Word document and type “Healthcare Facility Licensure Regulations” in the subject line of the email. All submitted testimony must include the sender’s full name and address.

The Department will post all electronic testimony that complies with these instructions on its website. **All comments must be submitted by 5:00 p.m. on October 28, 2024**. All comments received by the Department may be released in response to a request for public records.

If you are deaf or hard of hearing, or are a person with a disability who requires accommodation, please contact Stacy Hart at least 5 days before the hearing at Tel #**857-274-1120**, or email [Stacy.Hart@mass.gov](mailto:Stacy.Hart@mass.gov).

