

Good afternoon. My name is Annie Kazarnovsky and I am the Program Manager of Continuous Skilled Nursing Services, Office of Long Term Services and Supports, at the Executive Office of Health and Human Services (EOHHS). I am here to present staff testimony on the proposed amendments to regulation 130 CMR 438.000: Continuous Skilled Nursing Agency.

Regulation 130 CMR 438.000 governs MassHealth Continuous Skilled Nursing Agency providers and establishes program requirements and conditions of payment for services provided in a home setting for continuous skilled nursing services.

The proposed amendments to 130 CMR 438.000 add a new service type called complex care assistant services. Complex care assistance services are health-related services delivered to complex-care members who require more than two continuous hours of nursing services per day. Medical necessity requirements for complex care assistant services will be equivalent to the medical necessity requirements for continuous skilled nursing (CSN) services, and complex care assistant services will complement, but not duplicate, the skilled nursing services a complex-care member receives. The proposed amendments also include prior authorization requirements, teaching activities provided by a CSN agency nurse, complex care assistance qualifications and training requirements, supervision requirements and related billing, conditions of payment, recordkeeping and documentation requirements, and updates to the plan of care requirements. Furthermore, amendments to 130 CMR 438.000 add member complaint resolution requirements that require CSN agencies to respond to member complaints within two business days, identify agency employees responsible for member complaint resolution, and document the resolution process.

This new regulation is being proposed with an effective date of July 1, 2023.
This concludes my testimony.