

Testimony on Amendments to 130 CMR 414.000

Independent Nurse

Effective Date: September 15, 2026

April 27, 2026

Introduction

Good morning. My name is Annie Kazarnovksy, 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 414.000: *Independent Nurse*. The proposed regulation is planned to go into effect no sooner than September 15, 2026.

Background

130 CMR 414.000 governs MassHealth independent nurses who provide continuous skilled nursing (CSN) services and provides program requirements and conditions of payment for the provision of CSN services by independent nurses to MassHealth members.

Description of Proposed Amendments

The following amendments are proposed for 130 CMR 414.000:

1. Updating provider eligibility requirements under 414.404(C) to include relevant work experience requirements as a condition of enrolling with the MassHealth agency as an independent nurse provider, including allowances for providers who will be working with a MassHealth member whose primary natural caregiver and/or family member who resides with the member is a licensed nurse.
2. Updating provider eligibility requirements under 414.404(G) and (H) to require independent nurse providers to maintain liability insurance and to have an active basic life support certification.
3. Updating provider responsibility requirements under 414.405 to include annual reporting for Sexual Offender Record Information requirements, complying with all federal and state requirements for nurses and health care workers; notifying the MassHealth agency or its designee if the provider is diagnosed with Tuberculosis; and adhering to the scope of the provider's nursing licensure as established at 244 CMR 3.00.
4. Clarifying that independent nurse providers who hold an advanced practice degree may not certify the medical necessity nor establish the plan of care for members for whom they are providing CSN services under 414.408(C) and 414.412(A)(4).
5. Establishing requirements for CSN Training Time under 438.408(E) and 414.409(I).
6. Updating requirements for verbal orders under 414.412(D)(1) to clarify that for verbal orders, the physician or ordering non-physician practitioner must sign the plan of care either before the claim is submitted or within 60 days after a claim is submitted.

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7. Revising 414.412(D)(2) to clarify that providers must comply with other insurer's regulations for physician or ordering non-physician practitioner signatures for members with other health insurance.
8. Updating 414.413(J) to allow for temporary increases to CSN services when the primary natural caregiver is required to be away from the MassHealth member for an extended period, at the discretion of the MassHealth agency.
9. Updating recordkeeping requirements to include a discharge summary, if applicable, in the MassHealth member's medical record under 414.417(D)(14).
10. Specifying that independent nurses must provide a copy of the medical record, free of charge, to a person or entity that the member or their representative designates under 414.417(G).
11. Establishing discharge and transfer policies under 414.419.

The proposed regulation is planned to go into effect no sooner than September 15, 2026.

This concludes my testimony.

Thank you.