

## **Introduction**

Good Afternoon. My name is Jeannie Sosa, Program Coordinator for the Personal Care Attendant Program at the MassHealth Office of Long Term Services and Supports of the Executive Office of Health and Human Services (EOHHS). I am here to present testimony on proposed amendments to regulation 130 CMR 422.000: *Personal Care Attendant Services*.

## **Background**

MassHealth's Personal Care Attendant (PCA) program helps people with permanent or chronic disabilities keep their independence, stay in the community, and manage their own personal care by providing funds and other support for hiring PCAs. The PCA program is self-directed, which means the MassHealth member is responsible for recruiting, hiring, training, scheduling, and managing their PCA. This includes reviewing and approving activities and hours worked, requesting approval for PCAs to work overtime, and terminating PCAs when necessary.

MassHealth is committed to a sustainable PCA program that can continue to provide its members with fiscally responsible personal assistance services, while maintaining and enhancing quality of life.

## **Proposed Amendments**

The proposed amendments to 130 CMR 422.000 update and clarify certain requirements of the MassHealth Personal Care Attendant (PCA) program. The proposed amendments:

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- establish requirement for consumers, PCAs, surrogates, and administrative proxies to provide email address contact information;
- establish prior authorization requirements for the complex care payment differential and the scope of PCA tasks that constitute complex care for purposes of the payment differential.  
The PCA tasks that fall within the scope of complex care for purposes of the complex care payment differential are digital stimulation, and enteral tube feeding when medically necessary, and as determined through the prior authorization process;
- update the holidays observed for purposes of PCA holiday pay by adding two additional holidays. The two additional holidays are Martin Luther King, Jr. Day and Juneteenth;
- provide clarifying language in the regulation for the existing requirement that consumers, PCAs, surrogates, and administrative proxies must submit accurate and true attestations for EVV exemption requests;
- clarify parental responsibility requirements in relation to the provision of PCA services to minors;
- establish PCA employment rules stating that a PCA must be at least 16 years old;
- establish PCA employment rules stating that a PCA must not be a MassHealth member currently receiving PCA services;
- establish a PCA weekly hour limit. PCAs may not provide PCA services for more than 66 hours per week in the aggregate. This means that a PCA may not work more than 66 hours per week whether they work for one single consumer or multiple consumers. A member who currently schedules one PCA to work more than 66 hours per week will be required to

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hire additional PCAs so that no single PCA is seeking MassHealth payment for more than 66 hours per week;

- implement the use of a PCP Summary Form as a requirement for prior authorization for PCA services. The PCP Summary Form will be sought before PCA Services can initially begin, and annually for prior authorization. With the implementation of the PCP Summary Form, the Personal Care Management (PCM) agencies will no longer need to seek PCP signature as part of the evaluation.
- require PCMs to schedule and bill for three instances of Intake and Orientation per new consumer to help ensure new consumers receive effective on-boarding to the PCA program;
- clarify the requirements for a qualified surrogate or administrative proxy; and
- clarify and update definitions to reflect the above changes.

The proposed revisions will not change or affect the total number of hours of PCA services a member is authorized to receive. The effective date of the proposed amendments is January 1, 2026.

These program regulations are aligned with 101 CMR 309.000: *Rates for Certain Services for the Personal Care Attendant Program*.

This concludes my testimony. Thank You.