

**Commonwealth of Massachusetts
Executive Office of Health and Human Services**

NOTICE OF PROPOSED NEW AND RESCINDED REGULATIONS

Under the authority of M.G.L. c. 118E and pursuant to M.G.L. c. 30A, the Executive Office of Health and Human Services (EOHHS) proposes the rescission of 101 CMR 17.00: *Unified Planning Teams* and the simultaneous adoption of 101 CMR 27.00: *Interagency Review of Complex Cases*.

EOHHS proposes to promulgate 101 CMR 27.00 as a new regulation to implement the recent amendments to MGL c. 6A, § 16R included in the Act Addressing Barriers to Care for Mental Health, St. 2022, c. 177, § 3. These recent amendments establish an Interagency Review Team (IRT) to review and make recommendations regarding certain complex cases where there is a need for urgent action due to a lack of consensus between state agencies about current service needs or placement for individuals under the age of 22.

EOHHS proposes to rescind 101 CMR 17.00: *Unified Planning Teams* because the IRT process required under the recent statutory amendments replaces the Unified Planning Teams set forth in 101 CMR 17.00.

All persons desiring to submit data, views, or arguments concerning these proposed actions may submit them in writing to EOHHS, c/o D. Briggs, MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171, or email them to ehs-regulations@mass.gov. Emailed comments should contain the sender's name, mailing address, and organization or affiliation, if any. Comments will be accepted through 5:00 p.m. on Friday, January 20, 2023.

All persons desiring to review the current draft of the proposed actions may go to www.mass.gov/service-details/executive-office-of-health-and-human-services-public-notices or request a copy in writing or in person from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, Massachusetts 02171.

EOHHS may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to EOHHS's attention.

December 30, 2022

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 101 CMR 17.00: Unified Planning Teams (Rescission)

Estimate of the Number of Small Businesses Impacted by the Regulation: No small business will be impacted by this rescission.

Select Yes or No and Briefly Explain

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|---------------------------------|---|---|
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to create, file, or issue additional reports? No, the rescission will not require small businesses to create, file or issue additional reports. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to implement additional recordkeeping procedures? No, the rescission will not require small businesses to implement additional recordkeeping procedures. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to provide additional administrative oversight? No, the rescission will not require small businesses to provide additional administrative oversight. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to hire additional employees in order to comply with the proposed regulation? No, the rescission will not require small businesses to hire additional employees. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No, the rescission will not require small businesses to hire other professionals. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? No, the rescission will not require small businesses to purchase a product or make other capital investments. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) No, performance standards are not more appropriate than design/operational standards to accomplish the regulatory objective. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Do any other regulations duplicate or conflict with the proposed regulation? No, the proposed rescission does not duplicate or conflict with other regulations. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? No, the rescission will not require small businesses to cooperate with audits, inspections or other regulatory enforcement activities. |

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| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No, the rescission will not require small businesses to provide educational services to keep up to date with regulatory requirements. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No, the rescission will not deter formation of small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? No, the rescission will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No, the rescission will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No, the rescission will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No, the rescission will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No, the rescission, with the concurrent promulgation of 101 CMR 27.00, is necessary to implement recent statutory changes. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No, the rescission will not have any impact on small businesses in Massachusetts. |

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 101 CMR 27.00: Interagency Review of Complex Cases

Estimate of the Number of Small Businesses Impacted by the Regulation: No small business will be impacted by this regulation.

Select Yes or No and Briefly Explain

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| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to create, file, or issue additional reports? No, the regulation will not require small businesses to create, file or issue additional reports. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to implement additional recordkeeping procedures? No, the regulation will not require small businesses to implement additional recordkeeping procedures. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to provide additional administrative oversight? No, the regulation will not require small businesses to provide additional administrative oversight. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to hire additional employees in order to comply with the proposed regulation? No, the regulation will not require small businesses to hire additional employees. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No, the regulation will not require small businesses to hire other professionals. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? No, the regulation will not require small businesses to purchase a product or make other capital investments. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) No, performance standards are not more appropriate than design/operational standards to accomplish the regulatory objective. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Do any other regulations duplicate or conflict with the proposed regulation? No, the proposed regulation does not duplicate or conflict with other regulations. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? No, the regulation will not have any impact or require small businesses to cooperate with audits, inspections or other regulatory enforcement activities. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No, the regulation will not require small businesses to provide educational services to keep up to date with regulatory requirements. |

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| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No, the regulation will not deter formation of small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? No, the regulation will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No, the regulation will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No, the regulation will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No, the regulation will not have any impact on small businesses in Massachusetts. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No, the regulation, with the concurrent rescission of 101 CMR 17.00, is necessary to implement recent statutory changes. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No, the regulation will not have any impact on small businesses in Massachusetts. |