

NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c. 12C and in accordance with M.G.L. c. 30A, the Center for Health Information and Analysis (CHIA) will hold a **remote public hearing on Thursday, February 26, 2026 at 10:00 A.M.** relative to the emergency adoption of amendments to the following regulation:

957 CMR 3.00 – ASSESSMENT ON CERTAIN HEALTH CARE PROVIDERS AND SURCHARGE PAYORS

The proposed amendments to 957 CMR 3.00 reflect changes made to CHIA's assessments by Chapter 140 of the Acts of 2024 and Chapters 342 and 343 of the Acts of 2025. The amendments remove references to the Surcharge Payor Assessment, which is now collected pursuant to M.G.L. c. 118E § 64 due to statutory changes made by Chapter 140 of the Acts of 2024. The amendments also add a new Pharmacy Benefit Manager Assessment, consistent with M.G.L. c. 12C § 7, as amended by Chapters 342 and 343 of the Acts of 2025. Finally, the amendments update data submission procedures to make 957 CMR 3.00 consistent with other CHIA regulations.

The amended regulation went into effect on January 16, 2026. The amended regulation will have no fiscal impact on cities and towns and is not anticipated to have any fiscal impact on small businesses.

If you plan to testify at the hearing, CHIA strongly encourages you to register in advance by emailing regulations@chiamass.gov. Individuals may also submit written testimony to the same email address. Please include the name of the regulation in the subject line of your email. All submissions must include the sender's full name, mailing address, and organization or affiliation (if applicable). Individuals who are unable to submit testimony by email should mail written testimony to the Center for Health Information and Analysis, 501 Boylston Street, Suite 5100, Boston, MA 02116. Written testimony must be submitted by 5:00 P.M. on Monday, March 9, 2026. This notice and copies of the proposed regulations may be viewed on CHIA's website at www.chiamass.gov/regulations.

To join the remote hearing online, go to:

<https://us02web.zoom.us/j/81965706019?pwd=3HwUAmNfURLbDBGEPPFv81GHM3FhUd.1>, and enter Meeting ID: 819 6570 6019 and Passcode: 456165.

To join the remote hearing by phone, call 1-646-518-9805 or 1-646-558-8656, and enter Meeting ID: 819 6570 6019 and Passcode: 456165 when prompted.

SMALL BUSINESS IMPACT STATEMENT

In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.

Agency Submitting Regulation: Center for Health Information and Analysis (“CHIA”)

Subject Matter of Regulation: Assessment on Acute Hospitals, Ambulatory Surgical Centers, and Pharmacy Benefit Managers

Regulation No: 957 C.M.R. 3.00

Statutory Authority: M.G.L. c. 12C

Other Agencies Affected: None

Other Regulations That May Duplicate or Conflict with the Regulation: None

Describe the Scope and Objectives of the Regulation: The proposed amendments to 957 CMR 3.00 reflect changes made to CHIA’s assessments by Chapter 140 of the Acts of 2024 and Chapters 342 and 343 of the Acts of 2025. The amendments remove references to the Surcharge Payor Assessment, which is now collected pursuant to M.G.L. c. 118E § 64 due to statutory changes made by Chapter 140 of the Acts of 2024. The amendments also add a new Pharmacy Benefit Manager Assessment, consistent with M.G.L. c. 12C § 7, as amended by Chapters 342 and 343 of the Acts of 2025. Finally, the amendments update data submission procedures to make 957 CMR 3.00 consistent with other CHIA regulations.

Business Industry(ies) Affected by the Regulation: Health care

Types of Businesses Included in the Industry(ies): Hospitals, Ambulatory Surgical Centers, Pharmacy Benefit Managers

Total Number of Small Businesses Included in the Regulated Industry(ies) *Please see the attached guidance documents for assistance determining the total number of small businesses:* None

Number of Small Businesses Potentially Subject to the Proposed Regulation: None

Effective Date Used In Cost Estimate: January 15, 2026

- **Will small businesses have to create, file, or issue additional reports?**
No. The proposed regulation will not require small businesses to create, file, or issue additional reports.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. The proposed regulation will not require small businesses to implement additional recordkeeping procedures.
- **Will small businesses have to provide additional administrative oversight?**
No. The proposed regulation will not require small businesses to provide additional administrative oversight.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. The proposed regulation will not require small businesses to hire additional employees in order to comply with the proposed regulation.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. The proposed regulation will not require small businesses to hire other professionals.
- **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 proposed regulation will not require small businesses to purchase a product or make any other capital investments in order to comply with the regulation.

- **Are performance standards more appropriate than design standards?**

No. The proposed regulation imposes neither performance nor design standards.

- **Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?**

No. The proposed regulation will not require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities.

- **Will the regulation have the effect of creating additional taxes and/or fees for small businesses?**

No. The proposed regulation will not create additional taxes and/or fees for small businesses.

- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**

No. The proposed regulation will not require small businesses to provide educational services to keep up to date with regulatory requirements.

- **Is the regulation likely to *deter* the formation of small businesses in Massachusetts?**

No. The proposed regulation is not likely to deter the formation of small businesses.

- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**

No. The proposed regulation is not likely to encourage the formation of small businesses.

- **Can the regulation provide for less stringent compliance or reporting requirements for small businesses?**

No. The proposed regulations implement a statutorily required assessment.

- **Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**

No. The regulation applies uniform schedules for each covered entity.

- **Can the compliance or reporting requirements be consolidated or simplified for small businesses?**

No. The regulation applies uniform schedules for each covered entity.

- **Can performance standards for small businesses replace design or operational standards?**

No. The proposed regulation imposes neither performance nor design standards.

- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**

No. The proposed regulation is not expected to have an adverse impact on small businesses.

- **Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe.**

No. The proposed regulation is not expected to affect small businesses.