



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Mental Health

25 Staniford Street

Boston, Massachusetts 02114-2575

MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

KATHLEEN E. WALSH
Secretary

BROOKE DOYLE
Commissioner

(617) 626-8000
www.mass.gov/dmh

NOTICE OF COMMENT PERIOD

Notice is hereby given that the Department of Mental Health is proposing regulations under the authority of M.G.L. c. 19, ss. 1, 16 and 18. A public hearing will be held for the purpose of receiving written and oral testimony on its proposed actions. The Department describes the substance of the actions as follows:

The Department of Mental Health will be holding a Comment Period, ending on November 1, 2024, to receive written comments on proposed regulatory changes to **104 CMR 25.00 Authority, Vision, Mission, Definitions and Computation of Time**. The primary purpose of the proposed amendment is to establish regulatory authority, define terms used throughout DMH regulations and provide consistency throughout DMH regulations.

The Department of Mental Health is proposing an amendment to regulation 104 CMR 25.00 to remove its Vision and Mission statements from regulation, but to maintain the requirement that it establish, periodically review and publish such statements. DMH has determined that its past practice of promulgating its vision and mission statements in regulation hinders its ability to innovate and to engage in strategic planning, which from time to time compels modification of its vision and mission statements. DMH has included a provision for stakeholder consultation in development and revision of statements.

COMMENT PERIOD

Comment Period will be held by the Department of Mental Health, ending on November 1, 2024.

SUBMISSION OF COMMENTS

Please submit all written comments and testimony by sending in an email to:

DMH-regulations@state.ma.us as an attached Word or PDF document or as text within the body of the email; with the name of the regulation in the subject line. All written testimony or comments must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit testimony by email should mail written testimony to: Office of the General Counsel, Department of Mental Health, 25 Staniford Street, Boston, MA 02114. Written testimony/comments must be received **NO LATER THAN END OF THE COMMENT PERIOD ON NOVEMBER 1, 2024, at 5:00 P.M.**

INFORMATION: The proposed regulations are posted on the DMH website and can be viewed at: <https://www.mass.gov/service-details/dmh-proposed-regulations> or request a copy in writing from DMH Regulations, 25 Staniford Street, Boston, MA 02114 or email: DMH-regulations@state.ma.us. DMH may adopt a revised version of the proposed actions, in consideration of relevant comments and any other practical alternatives that come to its attention.

By Order of the Department of Mental Health
Brooke Doyle, Commissioner
September 24, 2024



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Small Business Impact Statement

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

CMR No.: 104 CMR 25.00: Authority, Vision, Mission, Definitions, and Computation of Time

Estimate of the Number of Small Businesses Impacted by the Regulation: 0

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have 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?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have 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?
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.)?
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?
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.)
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation?
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?
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?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?

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Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of 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?
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?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
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?
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?