

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, November 20, 2025 at 10:00 A.M.** relative to the adoption of the following new regulation:

957 CMR 12.00 – PHARMACY BENEFIT MANAGER REPORTING

The new regulation will govern CHIA's reporting requirements for Pharmacy Benefit Managers, which were added to M.G.L. 12C by Chapter 342 of the Acts of 2024. It is anticipated that Pharmacy Benefit Managers will incur no additional administrative costs resulting from the proposed new regulation. The new regulation will have no fiscal impact on cities and towns and no 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, December 1, 2025. 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/82057444710?pwd=v4ThrOOFUSJkVlgxCBwlaC9a6Ob73y.1>, and enter Meeting ID: 820 5744 4710 and Passcode: 409239.

To join the remote hearing by phone, call 1-646-518-9805 or 1-646-558-8656, and enter Meeting ID: 820 5744 4710 and Password: 409239 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: Pharmacy Benefit Manager Data Reporting; Monetary Penalties

Regulation No: 957 C.M.R. 12.00

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: This regulation implements the annual Pharmacy Benefit Manager reporting requirements for CHIA that were added to CHIA’s statute, M.G.L. c. 12C, by Chapter 342 of the Acts of 2024.

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

Types of Businesses Included in the Industry(ies): 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: October 3, 2025

Yes	No	<i>*Note: For each question, please answer “yes” or “no” and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>
Yes ☐	No x	Will small businesses have to create, file, or issue additional reports? No. The proposed regulations will not require small businesses to create, file, or issue additional reports.
Yes ☐	No x	Will small businesses have to implement additional recordkeeping procedures? No. The proposed regulations will not require small businesses to implement additional recordkeeping procedures.
Yes ☐	No x	Will small businesses have to provide additional administrative oversight? No. The proposed regulations will not require small businesses to provide additional administrative oversight.

Yes ☐	No x	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No. The proposed regulations will not require small businesses to hire additional employees in order to comply with the proposed regulation.
Yes ☐	No x	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No. The proposed regulations will not require small businesses to hire other professionals.
Yes ☐	No x	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 regulations will not require small businesses to purchase a product or make any other capital investments in order to comply with the regulation.
Yes ☐	No x	Are performance standards more appropriate than design standards? No. The proposed regulations create uniform data reporting standards for Pharmacy Benefit Managers to ensure Massachusetts has consistent, comprehensive health care databases.
Yes ☐	No x	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities? No. The proposed regulations will not require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities.
Yes ☐	No x	Will the regulation have the effect of creating additional taxes and/or fees for small businesses? No. The proposed regulations will not create additional taxes and/or fees for small businesses.
Yes ☐	No x	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No. The proposed regulations will not require small businesses to provide educational services to keep up to date with regulatory requirements.
Yes ☐	No x	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No. The proposed regulations are not likely to deter the formation of small businesses.
Yes ☐	No x	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? No. The proposed regulations are not likely to encourage the formation of small businesses.
Yes ☐	No x	Can the regulation provide for less stringent compliance or reporting requirements for small businesses? No. The proposed regulations apply uniform, statutorily required reporting requirements to each covered Pharmacy Benefit Manager to ensure Massachusetts has consistent, comprehensive health care databases.
Yes ☐	No x	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 Pharmacy Benefit Manager to ensure Massachusetts has consistent, comprehensive health care databases.
Yes ☐	No x	Can the compliance or reporting requirements be consolidated or simplified for small businesses? No. The regulation applies uniform schedules for each Pharmacy Benefit Manager to ensure Massachusetts has consistent, comprehensive health care databases.

Yes ☐	No x	Can performance standards for small businesses replace design or operational standards? No. The proposed regulations create uniform data reporting standards for each Pharmacy Benefit Manager to ensure Massachusetts has consistent, comprehensive health care databases.
Yes ☐	No x	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No. The proposed regulations are not expected to have an adverse impact on small businesses.
Yes ☐	No x	Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe. No. The proposed regulations are not expected to affect small businesses.