

**Division of Medical Assistance
Commonwealth of Massachusetts
Office of Medicaid
NOTICE OF PUBLIC HEARING**

Under the authority of M.G.L. c. 6A, section 16 and in accordance with M.G.L. c. 30A, the Division of Medical Assistance (the Division) will hold a remote public hearing on Monday, December 1, 2025, at 11 a.m. relative to the emergency adoption of amendments to the following regulation.

130 CMR 449.000: *Correctional Facility Services*

The regulation went into effect as an emergency on Friday, November 7, 2025. There is no fiscal impact on cities and towns.

The proposed emergency regulation, 130 CMR 449.000, is a standalone provider regulation that establishes a new correctional facility provider type. Regulation 130 CMR 449.000 sets forth the requirements, conditions, and limitations for MassHealth-covered correctional facility services. At this time, the covered services will include only the pre-release services required by federal law to be provided in the 30 days prior to release to post-adjudication eligible juveniles by Section 5121 of the Consolidated Appropriations Act 2023, namely targeted case management (TCM) and screenings and diagnostics. The associated rates for covered services are listed in the appropriate existing rate regulations.

To register to testify at the hearing and to get instructions on how to join the hearing online, go to www.mass.gov/info-details/masshealth-public-hearings. To join the hearing by phone, call (646) 558-8656 and enter meeting ID 935 397 8200# when prompted.

You may also submit written testimony instead of, or in addition to, live testimony. To submit written testimony, please email your testimony to masshealthpublicnotice@mass.gov 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 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 EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on 12/1/2025. The Division specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the emergency regulation, go to www.mass.gov/info-details/masshealth-public-hearings or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at ADAAccommodations@mass.gov or by phone at (617) 847-

3468 (TTY: (617) 847-3788 for people who are deaf, hard of hearing, or speech disabled). Please allow two weeks to schedule sign language interpreters.

The Division may adopt a final, revised version of the emergency regulation taking into account relevant comments and any other practical alternatives that come to its attention.

In case of inclement weather or other emergency, hearing cancellation announcements will be posted on the MassHealth website at www.mass.gov/info-details/masshealth-public-hearings.

November 7, 2025

Small Business Impact Statement

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

CMR No: 130 CMR 449.000: Correctional Facility Services

Estimate of the Number of Small Businesses Impacted by the Regulation: EOHHS notes that, currently, there are no providers enrolled in MassHealth as providers of Correctional Facility, as 130 CMR 449.000: *Correctional Facility Services* is a proposed regulation. When promulgated, this regulation will establish the MassHealth Correctional Facility services program. EOHHS estimates that there are at least 28 correctional facilities in the Commonwealth who may be eligible to enroll in MassHealth as providers of certain MassHealth services if 130 CMR 449.000 is promulgated.

Select Yes or No and Briefly Explain

Yes ☐	No ☒	Will small businesses have to create, file, or issue additional reports? No. The proposed regulation does not require small businesses to create, file, or issue additional reports.
Yes ☒	No ☐	Will small businesses have to implement additional recordkeeping procedures? Yes. Providers seeking to participate in the MassHealth Correctional Facility program created through this regulation must comply with the recordkeeping requirements set forth in this regulation, as well as those that apply to all MassHealth providers.
Yes ☐	No ☒	Will small businesses have to provide additional administrative oversight? No. The proposed regulation does not require small businesses to provide additional administrative oversight.
Yes ☐	No ☒	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No. Compliance with the proposed regulation does not require hiring additional employees.
Yes ☐	No ☒	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? No. Compliance with the proposed regulation does not require hiring other professionals.
Yes ☐	No ☒	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 does not require purchases or capital investments.
Yes ☐	No ☒	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 or operational standards.
Yes ☐	No ☒	Do any other regulations duplicate or conflict with the proposed regulation? No. No other regulations duplicate or conflict with the proposed regulation.
Yes ☒	No ☐	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? Yes. Providers seeking to participate in the MassHealth Correctional Facility program created through this proposed regulation must cooperate with the audit, inspection, and other regulatory enforcement activities set forth in this regulation, as well as those that apply to all MassHealth providers.

Yes ☐	No ☒	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? No. The proposed regulation does not require small businesses to provide educational services to keep up to date with regulatory requirements.
Yes ☐	No ☒	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No. The proposed regulation is unlikely to deter or encourage the formation of small businesses.
Yes ☐	No ☒	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? No. The proposed regulation is unlikely to deter or encourage the formation of small businesses.
Yes ☐	No ☒	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No. The proposed regulation does not distinguish between small and other businesses.
Yes ☐	No ☒	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? No. The proposed regulation does not distinguish between small and other businesses.
Yes ☐	No ☒	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No. The proposed regulation does not distinguish between small and other businesses.
Yes ☐	No ☒	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No. Distinguishing small businesses from other businesses would not be practicable for this regulation.
Yes ☐	No ☒	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No. The proposed regulation is required by federal statute and its goals could not be achieved through alternative methods.