

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 Friday, April 3, 2026, at 2 p.m. relative to the adoption of amendments to the following regulation.

130 CMR 403.000: *Home Health Agency*

The proposed regulation is planned to go into effect no sooner than August 1, 2026. There is no fiscal impact on cities and towns.

The following amendments are proposed for 130 CMR 403.000.

- Add a new additional home health service, Home Health Agency Value Based Payment (VBP) Service, available to members who meet certain eligibility criteria and who are receiving services through a contracted Home Health Agency VBP Service Provider. Participating agencies will provide a bundle of services reimbursable on a per member per month basis. The proposed additional service does not change or affect existing home health agency services.
- Add service-specific Electronic Visit Verification (EVV) requirements for all home health services reflecting the federal EVV mandate per Section 12006 of the 21st Century Cures Act.
- Amend language for Medication Administration Visits to clarify that the “primary” focus of the visit is medication administration.
- Remove the Statement of Fiscal Soundness requirement for home health agency providers.
- Clarify that the Initial Patient Assessment may be completed by the therapist (PT, SLP, or OT) when Therapy services are the only skilled service ordered by the physician or allowed practitioner.
- Technical corrections to clarify authorized practitioners for a face-to-face encounter visit.

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 p.m. on April 3, 2026. The Division specifically invites comments as to how the amendments may affect beneficiary access to care.

To review the current draft of the proposed 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 revised version of the proposed 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.

March 13, 2026

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

CMR No and Title: 130 CMR 403.000: Home Health Agency Manual

Estimate of the Number of Small Businesses Impacted by the Regulation: 68
home health agency providers

- **Will small businesses have to create, file, or issue additional reports?**
No. Home health agencies will not need to create, file, or issue additional reports for the proposed regulation amendments. Providers who opt to contract to provide Home Health Agency Value Based Payment (VBP) service are subject to VBP quality measures.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. Home health agencies will not have to implement additional recordkeeping procedures related to the proposed regulation amendments.
- **Will small businesses have to provide additional administrative oversight?**
No. Home health agencies will not have to provide additional administrative oversight as a result of the proposed amendments.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. The proposed amendments will not require small businesses to hire additional employees.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. The proposed amendments 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, neither contracted providers nor other small businesses will not have to purchase a product or make any other capital investments in order to comply with the proposed regulation amendments.
- **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, the proposed amendment is an optional new service within the home health agency program. MassHealth used performance standards that are appropriate for this service. The other proposed amendments do not have performance standards to accomplish the regulatory objective.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
No, no other regulation duplicates or conflicts with the proposed regulation amendments.

- **Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?**
 Yes. The regulation continues to require providers to periodically comply with audits, inspections, and other regulatory activities.
- **Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?**
 No. The proposed amendments do not require small businesses to provide educational services to keep up with regulatory requirements.
- **Is the regulation likely to deter the formation of small businesses in Massachusetts?**
 No. The proposed amendments are unlikely to deter or encourage the formation of small businesses in Massachusetts.
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 No. The proposed amendments are unlikely to deter or encourage the formation of small businesses in Massachusetts.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
 No. The regulation does not distinguish between small businesses and other businesses.
- **Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?**
 No, these amendments do not establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
 No, these amendments do not impact compliance or reporting requirements for small businesses.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
 No, these amendments do not replace designs or operations standards.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
 No. There will be no adverse impact on small businesses and there are no other alternative regulatory methods.