

**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, July 24, 2026, at 11 a.m. relative to the emergency adoption of amendments to the following regulation.

130 CMR 449.000: *Correctional Facility Services*

This regulation went into effect as an emergency on July 2, 2026. There is no fiscal impact on cities and towns.

130 CMR 449.000: *Correctional Facility Services* is a standalone provider regulation that governs MassHealth providers of covered services within correctional facilities and the provision of such services to MassHealth members.

EOHHS previously adopted this regulation on an emergency basis to establish the correctional facility provider type so that facilities could provide Medicaid services under Section 5121 of the Consolidated Appropriations Act (PUBL328.PS). EOHHS is now updating this regulation to expand the scope of covered services to align with its federally-approved 1115 Reentry Demonstration, as well as to outline additional requirements for correctional facilities participating in the Reentry Demonstration. The associated rates for covered services are found in existing rate regulations.

To register to testify at the hearing and to get instructions on how to join the hearing online, go 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 July 24, 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 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 mass.gov/info-details/masshealth-public-hearings.

Date of Newspaper Ad: July 2, 2026

Small Business Impact Statement

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

CMR No and Title: 130 CMR 449.000: *Correctional Facility Services*

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

- 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.
- 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.
- Will small businesses have to provide additional administrative oversight?
No. The proposed regulation does 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. Compliance with the proposed regulation does not require hiring additional employees.
- 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.
- 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.
- 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.
- Do any other regulations duplicate or conflict with the proposed regulation?
No. No other regulations duplicate or conflict with the proposed regulation.
- 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 the 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, but this is not a new requirement.
- 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.
- Is the regulation likely to *deter* the formation of small businesses in Massachusetts?
No. The proposed regulation is unlikely to deter or encourage the formation of small businesses.
- Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?
No. The proposed regulation is unlikely to deter or encourage the formation of small businesses.

- 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.
- 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.
- 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.
- 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 proposed regulation.
- Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
No. The goals of the proposed regulation could not be achieved through alternative methods.