

Commonwealth of Massachusetts
Executive Office of Health and Human Services
NOTICE OF PUBLIC HEARING

Under the authority of M.G.L. c. 118E and in accordance with M.G.L. c. 30A, the Executive Office of Health and Human Services (EOHHS) will hold a remote public hearing on August 7, 2026, at 3:00 PM, relative to the adoption of amendments to the following regulation.

101 CMR 314.00: Rates for Dental Services

Regulation 101 CMR 314.00 governs the rates used by all governmental units to make payments to eligible providers for dental services rendered to publicly aided individuals.

Effective for dates of service on or after January 1, 2027, EOHHS proposes establishing bundled rates for certain limited orthodontic treatment services to streamline the provision of these services for Early and Periodic Screening, Diagnostic, and Treatment (EPSDT) members. EOHHS proposes to establish a bundled rate incorporating the rate for the base visit (\$250 per visit) and five follow-up visits (\$270) for each of the service codes D8010, D8020, D8030, and D8040 that relate to limited orthodontic treatment of primary, transitional, adolescent, and adult dentition services, respectively. The proposed bundled rate for each code is \$520 per member. All other adult and EPSDT rates, including code D8999, will remain at their current levels.

EOHHS also proposes updating frequency limitations for two preventative and diagnostic services. The proposed amendments revise the frequency limitation for limited oral evaluation services (code D0140) for adults and EPSDT members from two units per member per year to two units per provider per member per year, allowing members to receive more than two units of the limited oral evaluations rendered by multiple providers. The proposed amendments also revise the frequency limitation for silver diamine fluoride services (code D1354) for adults and EPSDT members from two units per tooth per member per lifetime to two units per tooth per member per year.

While the proposed updates to frequency limitations are updates to Subchapter 6 of the Dental Manual and do not require amendments to 101 CMR 314.00, these updates will have a fiscal impact and are therefore described herein.

Finally, the proposed amendments also update terminology and incorporate coding updates to 101 CMR 314.00 previously issued via administrative bulletins.

The estimated aggregate annual fiscal impact associated with the proposed amendments to 101 CMR 314.00 and the proposed updates to Subchapter 6 of the

Dental Manual is \$233,000, or a 0.04% increase over SFY 2025 base spending of approximately \$553 million. There is no fiscal impact on cities and towns.

EOHHS is proposing these amendments, subject to federal approval and in accordance with M.G.L. c. 118E, §13C, to ensure that payments are reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities.

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/executive-office-of-health-and-human-services-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 ehs-regulations@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 August 7, 2026. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To [review the current draft of the proposed regulation](#), go to www.mass.gov/info-details/executive-office-of-health-and-human-services-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). Please allow two weeks to schedule sign language interpreters.

EOHHS 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/executive-office-of-health-and-human-services-public-hearings.

Date of Newspaper Ad: July 17, 2026

Small Business Impact Statement

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

CMR No and Title: 101 CMR 314.00: Rates for Dental Services

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

Approximately 2,100 eligible dental providers.

- **Will small businesses have to create, file, or issue additional reports?**
No. Small businesses will not have to create, file, or issue additional reports.
- **Will small businesses have to implement additional recordkeeping procedures?**
No. Small businesses will not have to implement additional recordkeeping procedures.
- **Will small businesses have to provide additional administrative oversight?**
No. Small businesses will not have to provide additional administrative oversight.
- **Will small businesses have to hire additional employees in order to comply with the proposed regulation?**
No. Small businesses will not have to hire additional employees in order to comply with the proposed regulation.
- **Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?**
No. Small businesses are not required to hire other professionals to comply with the regulation.
- **Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?**
No. Small businesses are not required to purchase a product or make any other capital investments in order to comply with the regulation.
- **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 regulation is required by statute under M.G.L. Chapter 118E Section 13C, and establishes the rates to be paid by governmental units to providers of non-institutional health care services, including dental services.
- **Do any other regulations duplicate or conflict with the proposed regulation?**
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. 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 regulation does 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 regulation is unlikely to deter or encourage the formation of small businesses in Massachusetts, as

this regulation governs payments for dental services provided to publicly aided individuals and is applied uniformly among providers.

- **Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?**
No. The regulation is unlikely to deter or encourage the formation of small businesses in Massachusetts, as this regulation governs payments for dental services provided to publicly aided individuals and is applied uniformly among providers.
- **Does the regulation provide for less stringent compliance or reporting requirements for small businesses?**
No. The 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. This regulation requires providers to submit documentation requested by the Commonwealth for purposes of utilization and provider review to ensure compliance with requirements, including the timelines for reporting, and the regulation is applied uniformly regardless of whether the provider is a small business.
- **Did the agency consolidate or simplify compliance or reporting requirements for small businesses?**
No. This regulation requires providers to submit documentation requested by the Commonwealth for purposes of utilization and provider review to ensure compliance with requirements, including the timelines for reporting, and the regulation is applied uniformly regardless of whether the provider is a small business.
- **Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?**
No. The regulation establishes uniform conditions of payment for the provision of dental services to publicly aided individuals. These requirements are applied uniformly, regardless of the size of the provider's business, to maintain consistency in the care provided to publicly aided individuals.
- **Are there alternative regulatory methods that would minimize the adverse impact on small businesses?**
No. The regulation does not have an adverse impact on small businesses and governs payments for dental services to publicly aided individuals and is applied uniformly regardless of whether the provider is a small business.