

Division of Medical Assistance
Commonwealth of Massachusetts
Office of Medicaid

NOTICE OF PROPOSED AMENDMENT OF REGULATIONS

Under the authority of M.G.L. c. 118E, ss. 7 and 12 and in accordance with M.G.L. c. 30A, the Division of Medical Assistance (the Division) proposes to amend the following regulation.

130 CMR 432.000: Therapist Services

It is anticipated that these amendments will not go into effect before January 1, 2026. There is no fiscal impact on cities and towns.

The Executive Office of Health and Human Services (EOHHS) is proposing an amendment to 130 CMR 432.000 to comply with federal prior authorization requirements applicable to MassHealth-enrolled therapy providers and to services provided under the regulation.

The proposed amendment aligns the therapy program regulation with federal law regarding prior authorization adjudication, set forth in CMS-0057-F, consistent with federal interoperability requirements. The proposed amendment will be consistent with changes in 130 CMR 450.000: *Administrative and Billing Regulations*.

To submit data, views, or arguments concerning these proposed amendments, please email them 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 submissions must include the sender's full name, mailing address, and organization or affiliation, if any. Individuals who are unable to submit comments by email should mail comments to EOHHS, c/o D. Briggs, 100 Hancock Street, 6th Floor, Quincy, MA 02171. Comments will be accepted through 5:00 p.m. on Friday, August 22, 2025. The Division specifically invites comments as to how the amendments may affect beneficiary access to care.

All persons desiring to review the current draft of the proposed regulation may go to www.mass.gov/info-details/masshealth-public-notices or request a copy in writing from MassHealth Publications, 100 Hancock Street, 6th Floor, Quincy, MA 02171.

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.

August 1, 2025

Small Business Impact Statement

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

CMR No.: 130 CMR 432.000: *Therapist Services*

Estimate of the Number of Small Businesses Impacted by the Regulation: There are currently about 366 providers of restorative, speech and hearing center, and rehabilitation center services.

Select Yes or No and Briefly Explain

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to create, file, or issue additional reports?</p> <p>Small businesses will not have to create, file, or issue additional reports.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to implement additional recordkeeping procedures?</p> <p>Small businesses will not have to implement additional recordkeeping procedures related to the proposed regulation amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to provide additional administrative oversight?</p> <p>Small businesses will not have to provide additional administrative oversight as a result of the proposed amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to hire additional employees in order to comply with the proposed regulation?</p> <p>Small businesses will not have to hire additional employees in order to comply with the proposed regulation amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</p> <p>Small businesses will not have to hire other professionals to comply with the proposed regulation amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</p> <p>Small businesses will not have to purchase a product or make any other capital investments in order to comply with the proposed regulation amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?</p> <p>(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.)</p> <p>No, the proposed amendments are related to the federal law.</p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Do any other regulations duplicate or conflict with the proposed regulation?</p> <p>No, no other regulation duplicates or conflicts with the proposed regulation amendments.</p>
Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>Yes. The regulation continues to require providers to periodically comply with audits, inspections, and other regulatory activities.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</p> <p>Small businesses will not have to provide education services to keep up to date with these amendments.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p> <p>No, these amendments are not likely to deter the formation of small businesses in Massachusetts.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p> <p>No, these amendments are not likely to encourage the formation of small businesses in Massachusetts.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p>No, these amendments do not impact compliance or reporting requirements for small businesses.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</p> <p>No, these amendments do not establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p> <p>No, these amendments comply with federal law and do not impact compliance or reporting requirements for small businesses.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?</p> <p>No, these amendments do not replace designs or operations standards.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>No. There will be no adverse impact on small businesses and there are no other alternative regulatory methods.</p>