

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

Notice is hereby given pursuant to M.G.L. c. 30A, § 2 that the Executive Office for Administration and Finance, along with the Board of Registration in Allied Mental Health ("AMH Board") within the Department of Public Health, will hold a public hearing on amendments to the following regulation: 801 CMR 4.00: *Rates*, to establish fees for Licensed Supervised Mental Health Counselors (LSMHC). This regulation sets forth licensure fee rates for original applications and renewals for each of the current license types.

This proposed amendment establishes a fee rate for the new license category of Licensed Supervised Mental Health Counselors (LSMHCs)

The public hearing will be held at **10:00 a.m. on Friday, September 19, 2025**. The hearing will be conducted on a **moderated conference call**. The information for the moderated conference call is:

Dial-in Telephone Number: **1-888-469-3045**
Participant Code: **9412521**

This hearing will be held jointly with the AMH Board public hearing on amendments to 262 CMR 2.00, 262 CMR 3.00, and 262 CMR 8.00.

A copy of the proposed amendment to 801 CMR 4.00 may be viewed on the Department's website at <https://www.mass.gov/service-details/proposed-regulations-and-amendments-department-of-public-health> or requested from the Office of the General Counsel by calling 617-624-5220.

Speakers who testify at the public hearing are requested to provide a copy of their oral testimony. The Department encourages all interested parties to submit testimony electronically to the following address: Reg.Testimony@mass.gov, or by mail to William Anderson, Office of the General Counsel, Department of Public Health, 250 Washington Street, Boston, MA 02108. All

submissions must include the sender's full name and address. When electronically submitting comments, type "AMH Board Regulations" in the subject line and attach a Word document with your comments or type your comments in the body of your email. All submissions must include the sender's full name and address.

The Department will post all testimony that complies with these instructions on its website. **All comments must be submitted by 5:00 p.m. on Friday, September 19, 2025.** All comments received by the Department may be released in response to a request for public records.

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

CMR No.: 801 CMR 4.00

Estimate of the Number of Small Businesses Impacted by the Regulation: 10,279 Licensed Mental Health Counselors

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><i>No, the regulation imposes no requirement that Licensed Supervised Mental Health Counselors create, file, or issue additional reports.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to implement additional recordkeeping procedures?</p> <p><i>No, the regulation imposes no requirement that Licensed Supervised Mental Health Counselors implement additional recordkeeping procedures.</i></p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to provide additional administrative oversight?</p> <p><i>No, the amended regulation does not require small businesses to provide additional administrative oversight.</i></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><i>No, the amended regulation does not require small businesses to hire additional employees.</i></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><i>No, the amended regulation does not require small businesses to hire other professionals.</i></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><i>No, the amended regulation does not require small businesses to purchase a product or make any other capital investments in order to comply with the regulation.</i></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><i>No, this amended rate regulation does not contemplate design/operational standards.</i></p>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? <i>No, the Board has exclusive authority over the licensing and regulation of Licensed Supervised Mental Health Counselors.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? <i>No, the regulation does not require small businesses to cooperate with any regulatory enforcement activities.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? <i>No, the rate regulation does not require small businesses to provide educational services to licensees.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? <i>No, the amended regulation is not likely to deter the formation of small business in the Commonwealth.</i>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? <i>Yes, licensure may encourage the formation of small business by codifying an additional license type.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? <i>No, this regulation does not establish compliance or reporting requirements for small businesses.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? <i>No, this regulation does not establish compliance or reporting requirements for small businesses.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? <i>No, this regulation does not establish compliance or reporting requirements for small businesses.</i>

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? <i>No - the amended regulation outlines fees for licensure of Licensed Supervised Mental Health Counselors.</i>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? <i>No, state law requires the Board to license and establish minimum practice standards for licensees. M.G.L. c. 13, §90.</i>