

**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 Friday, October 3, 2025, at 10 a.m. relative to the adoption of amendments to the following regulation.

**101 CMR 307.00: *Rates for Psychiatric Day Treatment Center Services***

**Summary of Proposed Regulation**

Pursuant to M.G.L. Chapter 118E, Section 13D, the Executive Office of Health and Human Services (EOHHS) is required to establish and periodically review the rates to be paid by governmental units to providers of non-institutional healthcare services, including psychiatric day treatment center services provided under the MassHealth program.

The proposed amendments, effective March 1, 2026, increase the rates for code H2012 (behavioral health day treatment) and code H2012-U1 (preadmission evaluation visit) by a prospective cost adjustment factor (CAF) of 2.77%. The CAF was calculated based on the optimistic forecast of the Fall 2024 Massachusetts Economic Indicators data developed by S&P Global Market Intelligence, using a base period of quarter four of calendar year 2025, and a two-year prospective rate period of quarter one of calendar year 2026 through quarter four of calendar year 2027. The proposed rate for code H2012 increases from \$28.77 to \$29.57 per hour, and the proposed rate for code H2012-U1 increases from \$80.13 to \$82.35 per hour. The rate for code 90887 is established in 101 CMR 306.00: *Rates for Mental Health Service Providers in Community Health Centers and Mental Health Centers* and is excluded from this rate review. In addition, the proposed amendments also update outdated citations, update terminology, enhance consistency with other EOHHS regulations, and otherwise increase clarity.

EOHHS is proposing these amendments, subject to federal approval, to ensure that payment rates are consistent with efficiency, economy, and quality of care, and to satisfy the requirements of M.G.L. 118E, sections 13C and 13D. It is estimated that annual aggregate fiscal impact of the proposed amendments is \$70,000. The actual change in annualized expenditures may vary depending on actual utilization of services. There is no fiscal impact on cities and towns.

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](http://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](mailto: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, 6<sup>th</sup> Floor, Quincy, MA 02171. Written testimony will be accepted through 5:00 p.m. on Friday, October 3, 2025. 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](http://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, 6<sup>th</sup> Floor, Quincy, MA 02171.

Special accommodation requests may be directed to the Disability Accommodations Ombudsman by email at [ADAAccommodations@mass.gov](mailto: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.

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](http://www.mass.gov/info-details/executive-office-of-health-and-human-services-public-hearings).

September 12, 2025

## Small Business Impact Statement

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

**CMR No:** 101 CMR 307.00: Rates for Psychiatric Day Treatment Center Services

**Estimate of the Number of Small Businesses Impacted by the Regulation:** There are eight psychiatric day treatment centers governed by the proposed regulation.

### 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>No. Small businesses will not have to create, file, or issue additional reports as a result of the proposed amendments to 101 CMR 307.00.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to implement additional recordkeeping procedures?</p> <p>No. Small businesses will not have to create, file, or issue additional reports as a result of the proposed amendments to 101 CMR 307.00.</p>
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<p>Will small businesses have to provide additional administrative oversight?</p> <p>No. Small businesses are not required by 101 CMR 307.00 to provide additional administrative oversight. The proposed regulation establishes the rates to be paid by governmental units for psychiatric day treatment services.</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>No. Regulation 101 CMR 307.00 does not require small businesses to hire additional employees to remain in compliance.</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>No. Small businesses are not required by 101 CMR 307.00 to hire other professionals to remain in compliance.</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>No. Regulation 101 CMR 307.00 does not require small businesses to purchase any particular product or make any capital investments.</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? (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. Performance standards are not more appropriate than design or operational standards to accomplish the regulatory objective of establishing rates for EOHHS health-care services, as the proposed regulation is required by statute under M.G.L. Chapter 118E, Section 13C.</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. There are no other regulations that duplicate or conflict with the proposed regulation.</p>
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<p>Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?</p> <p>Yes. This regulation uniformly requires all providers to periodically file cost data.</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>

		No. Regulation 101 CMR 307.00 does not require small businesses to provide educational services to keep up to date with regulatory requirements
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?  No. The proposed regulation is not likely to deter or encourage the formation of small businesses in Massachusetts as this proposed regulation establishes uniform governmental rates of payment for psychiatric day treatment center services.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?  No. The proposed regulation is not likely to deter or encourage the formation of small businesses in Massachusetts as this proposed regulation establishes uniform governmental rates of payment for psychiatric day treatment center services.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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.
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?  No. The proposed regulation does not distinguish between small and other businesses.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	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.
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?  No. Distinguishing between small and other businesses would not be practicable to implement the proposed regulation.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses?  No. The proposed regulation does not have an adverse impact on small businesses.