

**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 Monday, December 1, 2025, at 10 a.m. relative to the emergency adoption of amendments to the following regulation.

**101 CMR 101 CMR 317.00: *Rates for Medicine Services***

The proposed amendments to 101 CMR 317.00 add correctional facility as an eligible provider and establish a new code and corresponding modifier, T2023-U1, with a monthly rate of \$269.99 per member for pre-release case management services. The proposed monthly rate was developed based on the current per diem rate of \$21.92 for the community support program for individuals with justice involvement (CSP-JI, code H2016-HH) services established in 101 CMR 362.00: *Rates for Community Support Program Services*, using appropriate utilization assumptions. The proposed amendments are planned to be promulgated via the emergency regulation process and are anticipated to be promulgated with rates effective for dates of service on or after November 7, 2025.

EOHHS is proposing these changes, subject to federal approval, to ensure that payments are consistent with efficiency, economy, and quality of care and satisfy the requirements of M.G.L. 118E, sections 13C and 13D. It is estimated that annual aggregate MassHealth expenditures will increase by \$108,000 as a result of the proposed amendments. There is no fiscal impact on cities and towns. The proposed amendments are not anticipated to impose new costs on small businesses, and any impact on small business providers will vary based on the volume of services provided.

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 12/1/2025. EOHHS specifically invites comments as to how the amendments may affect beneficiary access to care for MassHealth-covered services.

To review the emergency 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 final, revised version of the emergency 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).

November 10, 2025

## Small Business Impact Statement

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

### CMR No: 101 CMR 317.00: Rates for Medicine Services

**Estimate of the Number of Small Businesses Impacted by the Regulation:** There are currently approximately 20,000 providers of physician services. EOHHS notes that, currently, there are no providers enrolled in MassHealth as providers of correctional facility provider services, as 130 CMR 449.000: *Correctional Facility Services* is a proposed regulation that, if promulgated, will establish the MassHealth correctional facility program. However, EOHHS estimates that there may be at least 13 correctional facilities in the Commonwealth who may be eligible to enroll in MassHealth as providers of correctional facility provider services if 130 CMR 449.000 is promulgated.

#### Select Yes or No and Briefly Explain

|                                 |   |   |
|---------------------------------|---|---|
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Will small businesses have to create, file, or issue additional reports?<br>No. The proposed amendments do not require small businesses to create, file, or issue additional reports.   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Will small businesses have to implement additional recordkeeping procedures?<br>No. The proposed amendments will not implement additional recordkeeping procedures for small businesses.  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Will small businesses have to provide additional administrative oversight?<br>No. The proposed amendments do not require small businesses to provide additional administrative oversight.   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Will small businesses have to hire additional employees in order to comply with the proposed regulation?<br>No. Compliance with the proposed amendments does not require hiring additional employees.   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?<br>No. Compliance with the regulation does not require hiring other professionals.  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?<br>No. The regulation does not require purchases or capital investments.   |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?<br>(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.)<br><br>Performance standards are not more appropriate than design or operational standards. |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Do any other regulations duplicate or conflict with the proposed regulation?<br>No. No other regulations duplicate or conflict with the proposed regulation.  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?  |

|                                 |   |   |
|---------------------------------|---|---|
|                                 |   | No. This regulation does not require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities.  |
| Yes<br><input type="checkbox"/> | No<br><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>No. The regulation does not require small businesses to provide educational services to keep up to date with regulatory requirements.</p> |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?</p> <p>The proposed amendments update rates for providers. The regulation is unlikely to deter or encourage the formation of small businesses.</p>                                |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?</p> <p>The proposed amendments update rates for providers. The regulation is unlikely to deter or encourage the formation of small businesses.</p>                            |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Does the regulation provide for less stringent compliance or reporting requirements for small businesses?</p> <p>No. The regulation does not distinguish between small and other businesses.</p>   |
| Yes<br><input type="checkbox"/> | No<br><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. The regulation does not distinguish between small and other businesses.</p>  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Did the agency consolidate or simplify compliance or reporting requirements for small businesses?</p> <p>No. The regulation does not distinguish between small and other businesses.</p>   |
| Yes<br><input type="checkbox"/> | No<br><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>Distinguishing small businesses from other businesses would not be practicable for this regulation.</p>                  |
| Yes<br><input type="checkbox"/> | No<br><input checked="" type="checkbox"/> | <p>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</p> <p>The regulation is required by statutes and its goals could not be achieved through alternative methods.</p>  |