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State/Territory Name: Massachusetts

State Plan Amendment (SPA): MA-25-0008

This file contains the following documents in the order listed:

- 1) Approval Letter
- 2) CMS 179 Form/Summary Form (with 179-like data)
- 3) Approved SPA Pages

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services
Center for Medicaid & CHIP Services
230 South Dearborn
Chicago, Illinois 60604



Financial Management Group

June 24, 2025

Mike Levine
Medicaid Director
Office of Medicaid
One Ashburton Place
Boston, MA 02108

RE: TN 25-0008

Dear Director Levine:

The Centers for Medicare & Medicaid Services (CMS) has reviewed the proposed Massachusetts state plan amendment (SPA) to Attachment 4.19-B MA-25-0008, which was submitted to CMS on March 31, 2025. This plan amendment increases rates for Personal Care Attendants (PCA) who have completed the new hire orientation.

We reviewed your SPA submission for compliance with statutory requirements including in sections 1902(a)(2), 1902(a)(13), 1902(a)(30), and 1903 as it relates to the identification of an adequate source for the non-federal share of expenditures under the plan, as required by 1902(a)(2), of the Social Security Act and the applicable implementing Federal regulations.

Based upon the information provided by the state, we have approved the amendment with an effective date of April 1, 2025. We are enclosing the approved CMS-179 and a copy of the new state plan pages.

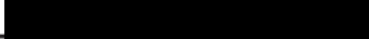

If you have any additional questions or need further assistance, please contact Robert Bromwell at (410) 786-5914 or via email at Robert.Bromwell@cms.hhs.gov.

Sincerely,

[Redacted Signature]

Todd McMillion
Director
Division of Reimbursement Review

Enclosures

TRANSMITTAL AND NOTICE OF APPROVAL OF STATE PLAN MATERIAL FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES		1. TRANSMITTAL NUMBER <u>2 5 — 0 0 0 8</u>	2. STATE <u>MA</u>
		3. PROGRAM IDENTIFICATION: TITLE <u>XIX</u> OF THE SOCIAL SECURITY ACT	
TO: CENTER DIRECTOR CENTERS FOR MEDICAID & CHIP SERVICES DEPARTMENT OF HEALTH AND HUMAN SERVICES		4. PROPOSED EFFECTIVE DATE 04/01/2025	
5. FEDERAL STATUTE/REGULATION CITATION 42 CFR Part 440		6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars) a. FFY ²⁵ <u>\$ 9,654,000</u> b. FFY ²⁶ <u>\$ 19,254,000</u>	
7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT Attachment 4.19-B page 3.2-3.2b		8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION OR ATTACHMENT (If Applicable) Attachment 4.19-B page 3.2-3.2b	
9. SUBJECT OF AMENDMENT An amendment to update payment methodologies for personal care attendants			
10. GOVERNOR'S REVIEW (Check One) <input type="checkbox"/> GOVERNOR'S OFFICE REPORTED NO COMMENT <input type="checkbox"/> COMMENTS OF GOVERNOR'S OFFICE ENCLOSED <input type="checkbox"/> NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL <input checked="" type="checkbox"/> OTHER, AS SPECIFIED: Not required under 42 CFR 430.12(b)(2)(i)			
11. SIGNATURE OF STATE AGENCY OFFICIAL 		15. RETURN TO Commonwealth of Massachusetts Executive Office of Health and Human Services Office of Medicaid One Ashburton Place Boston, MA 02108	
12. TYPED NAME Mike Levine		FOR CMS USE ONLY	
13. TITLE Assistant Secretary for MassHealth			
14. DATE SUBMITTED 03/31/2025			
16. DATE RECEIVED 3/31/2025		17. DATE APPROVED June 24, 2025	
PLAN APPROVED - ONE COPY ATTACHED			
18. EFFECTIVE DATE OF APPROVED MATERIAL April 1, 2025		19. SIGNATURE OF APPROVING OFFICIAL 	
20. TYPED NAME OF APPROVING OFFICIAL Todd McMillion		21. TITLE OF APPROVING OFFICIAL Director, Division of Reimbursement Review	
22. REMARKS			

**State Plan under Title XIX of the Social Security Act
State: Massachusetts
Methods and Standards for Establishing Payment Rates – Other Types of Care**

ii. Personal Care Services:

I. General Description of Payment Methodology

The following section describes the methods and standards utilized by the Executive Office of Health and Human Services (EOHHS) to establish rates of payment for personal care attendant (PCA) services. These services are described under Supplements to Attachments 3.1-A and 3.1-B. Fee schedules are established as follows:

II. Fee Schedules

The fee schedules for Personal Care Attendant Services are established by the Executive Office of Health and Human Services. The regulation, administrative bulletins, and fee schedules are published at <https://www.mass.gov/regulations/101-CMR-30900-rates-for-certain-services-for-the-personal-care-attendant-program>.

Effective April 1, 2025, the following Regular Pay and Premium Pay fee schedules are used to pay for personal care attendant services provided by Personal Care Attendant providers that have completed Orientation or are exempt from Orientation. The fee schedules are based on a seniority scale that accounts for the number of personal care attendant hours provided by a Personal Care Attendant since 2008. The Regular Pay fee schedule is inclusive of the PCA wage, employer required taxes, and workers' compensation insurance for PCA services provided during the day or night. The Premium Pay fee schedule is used to pay for Personal Care Attendants who are authorized by MassHealth to work emergency overtime or work on one of six holidays (New Year's Day, Martin Luther King Jr. Day, Juneteenth, July 4, Thanksgiving Day or Christmas). When Premium Pay is paid, it is in addition to Regular Pay and is inclusive of employer required taxes and workers' compensation insurance.

Hours Worked as a Personal Care Attendant Since 2008	Regular Pay per 15-minute unit	Premium Pay Per 15-minute unit
Step 1: 0-3,640 Hours	\$5.39	\$2.70
Step 2: 3,641-7,280 Hours	\$5.54	\$2.77
Step 3: 7,281-12,740 Hours	\$5.69	\$2.85
Step 4: 12,741-18,200 Hours	\$5.84	\$2.92
Step 5: 18,201-Plus Hours	\$5.99	\$3.00

Effective April 1, 2025, the Regular Pay rate for Personal Care Attendants that have not completed Orientation and are not exempt from Orientation is \$5.39 per 15-minute unit, inclusive of the PCA wage, employer required taxes, and workers' compensation insurance for PCA services provided during the day or night. The Premium Pay rate for Personal Care Attendants that have not completed Orientation and are not exempt from Orientation is \$2.70 per 15-minute unit and is paid when the Personal Care Attendant is authorized by MassHealth to work emergency overtime or work on one of six holidays (New Year's Day, Martin Luther King Jr. Day, Juneteenth, July 4, Thanksgiving Day or Christmas). When Premium Pay is paid, it is in addition to Regular Pay and is inclusive of employer required taxes and workers' compensation insurance.

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Effective October 1, 2020, EOHHS will provide a 4 hour paid Orientation for newly hired PCAs. The fee schedule for the 4-hour Orientation is based on the hourly PCA rate in effect on the date the newly hired PCA receives orientation.

Effective January 1, 2016, through June 30, 2019, PCAs are eligible to accrue earned sick time from the first date of work and can begin using earned sick time 90 days after the first date of work at a rate of one hour per 30 hours worked, including overtime hours, up to 40 hours per benefit year. PCAs may use up to 40 hours of earned sick time per 12-month period as designated by EOHHS. The fee schedule is based on the hourly PCA rate in effect at the time the earned sick time is used.

Effective July 1, 2019, PCAs are eligible to accrue earned paid time off from the first date of work. PCAs accrue earned paid time off at a rate of one hour per 30 hours worked, including overtime hours, up to 50 hours per benefit year, and may carry over up to 50 hours to a new benefit year. A benefit year runs from July 1 to June 30. Upon termination of PCA employment, a PCA's remaining accrued paid earned time will be paid to the PCA. The fee schedule is based on the hourly PCA rate in effect at the time the earned paid time off is used, or, for purposes of payout at termination of all PCA employment, on the hourly PCA rate in effect on the date of the PCA's termination of all PCA employment.

Effective January 1, 2016, PCAs are eligible to receive overtime pay in accordance with the requirements of the Fair Labor Standards Act. Effective July 1, 2024, PCA overtime pay is equal to \$0.18 per 1 minute unit, inclusive of employer required taxes and workers' compensation insurance and PCA travel time pay is equal to \$0.36 per 1 minute unit, inclusive of employer required taxes and workers' compensation insurance.

Effective September 20, 2023, a One-Time Collective Bargaining Agreement Signing Incentive equaling an aggregate \$11.8 million will be paid to qualified PCAs as described below. The incentive will be apportioned across PCAs to correlate to the frequency with which each PCA worker provided services to MassHealth members. It will use the following method to calculate each PCA's incentive payment: total number of hours the PCA worked between 12:00 a.m. July 1, 2023, and 11:59 p.m. August 31, 2023, x \$1. Example: A PCA worked 160 hours between 12:00 a.m. July 1, 2023, and 11:59 p.m. August 31, 2023; the PCA's incentive payment is \$160 (160 x \$1). For the purposes of this one-time signing incentive, a qualified PCA is a PCA who provided MassHealth-covered personal care attendant services during the first two months of state fiscal year 2024.

Night Visit Minimum Payment: PCAs who provide PCA services during shifts that begin and end between 12:00 a.m. and 5:59 a.m. will be paid for a minimum of 2 hours (eight 15-minute units) for their visit to the member's home to deliver PCA services at night in accordance with the fee schedule described on page 3.2. PCAs who provide PCA services during shifts that begin and end between 12:00 a.m. and 5:59 a.m., and that equal a total amount equivalent to two or more hours, will be paid in accordance with the PCA payment methodology described on page 3.2. Example 1: A PCA who works from 12:30 a.m. through 1:00 a.m. (half an hour) will be paid for the equivalent of two hours for their night visit. Example 2: A PCA who works from 12:30 a.m. through 3:00 a.m. (two and a half hours) will be paid for the equivalent of two and a half hours.

The fee used for Transitional Living providers of personal care services is a provider specific rate

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established by the Executive Office of Health and Human Services. Such regulations are entitled: Rates for Certain Social, Rehabilitation and other Health Care Services. The regulation is published at <https://www.mass.gov/doc/rates-for-certain-social-rehabilitation-and-health-care-services-effective-january-1-1999/download>.

Each Transitional Living provider's rate is an all-inclusive per diem rate for the provision of personal care services and is based on an annual program budget, and delineates costs for direct care services and necessary administrative activities. Rate development for transitional living services includes the collection and review of service data maintained by the transitional living provider. Costs for room and board and other unallowable costs are excluded from the rate.

The table below contains the rates used for Transitional Living providers and the effective dates of the rates.

Provider	Per diem rate	Effective date
Advocates, Inc., Douglas House	\$228.62	December 1, 2022
Advocates, Inc., McLaughlin House	\$317.58	December 1, 2022
Advocates, Inc., Warren House	\$272.76	December 1, 2022
CCHIP House	\$227.73	December 1, 2022

Except as otherwise noted in the plan, state developed fee schedules are the same for both governmental and private providers.