

HOUSE No. 4933

Section 116 contained in the engrossed Bill making appropriations for the fiscal year 2025 (see House, No. 4800), which had been returned by Her Excellency the Governor with recommendation of amendment (for message see House, No. 4935). July 29, 2024.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to providing notices to individuals age 55 or older of options for enrolling in certain voluntary programs.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide notices to individuals age 55 or older of options for enrolling in certain voluntary programs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Subsection (e) of section 9D of chapter 118E of the General Laws, as appearing in the
2 2022 Official Edition, is hereby amended by striking out paragraph (6) and inserting in place
3 thereof the following paragraph:-

4 (6)(i) The executive office shall direct MassHealth to provide notice to each individual
5 age 55 or older of the options for enrolling in voluntary programs, including, but not limited to,
6 Program of All Inclusive Care for the Elderly or PACE plans, Senior Care Options or SCO plans,
7 One Care plans and Home and the Community-Based Services Waiver program for frail elders
8 when: (A) the individual first becomes eligible for Medicare or MassHealth; and (B) the

9 individual inquires about long term nursing home placement. Notice provided pursuant to this
10 clause shall be consistent with the notice requirement pursuant to subparagraph (ii).

11 (ii) The executive office shall direct MassHealth to provide each beneficiary age 65
12 and older with an annual notice of the options for enrolling in voluntary programs, including
13 Program of All Inclusive Care for the Elderly or PACE plans, Senior Care Options or SCO plans,
14 One Care plans, the Home and Community-Based Services Waiver program for frail elders or
15 any other voluntary, elective benefit to which the beneficiary is entitled to supplement or replace
16 their MassHealth benefits. If MassHealth receives approval from the Centers for Medicare and
17 Medicaid Services, MassHealth shall arrange for the annual notice to include the names and
18 contact information for the program providers, general contact information for MassHealth and a
19 general description of the benefits of joining particular programs in clear and simple language
20 and a method to request the same information in a language other than English. The notice shall
21 include a method for the beneficiary to indicate interest in receiving additional information on
22 any programs identified that may be of interest to them. The notice shall be supplied to a
23 beneficiary every time the beneficiary is subject to a redetermination of eligibility. A draft of the
24 proposed language and format for providing information to beneficiaries shall be circulated to
25 the providers contracted to provide each of these programs for review and comment prior to
26 finalization. The division shall work with the program providers and other appropriate
27 stakeholders to assess whether and to what extent barriers to program enrollment shall be
28 alleviated through modifications to the program or the enrollment process.