

HOUSE No. 4934

Sections 219 and 220 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 Medicaid managed care incentive initiative payment mechanisms to the non-state-owned public hospitals.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for Medicaid managed care incentive initiative payment mechanisms to the non-state-owned public hospitals, 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 SECTION 1. Notwithstanding any general law or special law to the contrary, the
2 secretary of health and human services shall implement new annual funding of not less than
3 \$63,600,000 total computable within the state-directed Medicaid managed care incentive
4 initiative payment mechanisms to the non-state-owned public hospital for each of the fiscal years
5 2024 to 2027, inclusive, at full levels, including the 20 per cent increase to the maximum
6 payment amounts listed in items 2, 4 and 5 of section 6 of Attachment Q of the MassHealth
7 demonstration waiver approved May 15, 2023, effective October 1, 2022 to December 31, 2027,
8 inclusive, under subsection (a) of section 1115 of Title XI of the federal Social Security Act.

9 SECTION 2. (a) Notwithstanding any general or special law to the contrary, the
10 secretary of health and human services, in collaboration with the non-state-owned public
11 hospital, shall seek any and all required federal approvals the secretary and the non-state-owned
12 public hospital deem necessary to implement section 1, including any required waivers and other
13 applicable submissions necessary to implement the state-directed payment mechanisms under 42
14 CFR 438.6(c).

15 (b) Notwithstanding any general or special law to the contrary, the payments to the non-
16 state-owned public hospital shall be authorized annually by the secretary and shall be made
17 through the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the
18 General Laws.

19 (c) The secretary of health and human services shall notify the house and senate
20 committees on ways and means and the joint committee on health care financing of any federal
21 approval received or denied pursuant to this section.