

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve continuity of care for MassHealth members with chronic conditions.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

Third Essex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to improve continuity of care for MassHealth members with chronic conditions.

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. Chapter 118E of the General Laws is hereby amended by adding, before
2 Chapter D, the following section:-

3 Section 9C1/2. Prior Authorization Requirements Related to Community-based Long-
4 term Care for MassHealth Members with Chronic Conditions.

5 (1) For purposes of this section, the following words shall have the following meanings:-

6 “Community long-term care services”, (i) an Adult Day Health service, (ii) an Adult
7 Foster Care service, (iii) a Group Adult Foster Care service, (iv) a Day Habilitation service, (v) a
8 Home Health Aide, (vi) Personal Care Attendant Services, (vii) or any services described in the
9 Frail Elder Waiver that was in effect as of April 1, 2024, provided that these long-term care
10 services include services itemized in the Frail Elder Waiver as well as said services included in
11 any other 1915(c) waiver in effect as of April 1, 2024;

12 “Chronic condition”, a health condition or disease that is persistent or otherwise expected
13 to last longer than one year, including intellectual or developmental disabilities.

14 (2) Where the agency requires prior authorization for long-term services and supports,
15 prior authorization for long-term services and supports that address a chronic condition shall
16 issue for the duration of the prescribed or ordered service for a prior authorization period of up to
17 five (5) years.

18 Nothing in this section shall preclude MassHealth or its authorized agent from modifying
19 a service plan at the request of the member or a primary care provider in response to a change in
20 a member’s condition and their corresponding service need.

21 SECTION 2. Section 4B of Chapter 19A of the General Laws is hereby amended by
22 adding, after the fourth paragraph, the following:-

23 Regarding the service authorization duties enabled by paragraph one in this section,
24 where a skilled medical provider employed by an ASAP conducts screening activities and
25 service authorizations for community long-term care services for which the ASAP will not be the
26 direct service provider, the service authorization shall constitute a prior authorization for
27 community long-term care services. ASAPs shall work to promote the prompt delivery of
28 services pursuant to a service plan. The provisions of this paragraph shall apply to the senior care
29 options initiative established by section 9D of Chapter 118E. Nothing in this section shall
30 preclude MassHealth or its authorized agent from modifying a service plan at the direction of the
31 member or a primary care provider in response to a change in a member’s condition and their
32 corresponding service need.