

Joint Committee on Health Care Financing 2025-2026 (194th) Bill Summary

<u>Bill Number:</u>	House, No. 1366
<u>Title:</u>	AN ACT TO PROTECT MEDICALLY FRAGILE CHILDREN
<u>Sponsor:</u>	Representative Sean Garballey (Arlington)
<u>Hearing Date:</u>	July 1, 2025
<u>Reporting Deadline:</u>	August 30, 2025
<u>Prior History:</u>	2023-24 (H1192/S748): S748 reported favorably and referred to Senate Ways and Means, accompanied by H1192. No further action.
<u>Similar Matters:</u>	S866 (Friedman – Identical, Health Care Financing)

Current Law:

M.G.L. Ch. 12C § 24 directs the center for health information services (CHIA), in conjunction with MassHealth, to prepare a biennial report on the provision of continuous skilled nursing care.

Chapter 118E of the General Laws pertains to the state Medicaid program [MassHealth].

M.G.L. Ch. 118E § 13C directs the Executive Office of Health and Human Services (EOHHS), or an agency designated by EOHHS, to establish MassHealth payment rates and the rates paid by governmental units for health care services and social service programs. Payment rates must be i) “adequate to meet the costs incurred by efficiently and economically operated facilities providing care and services in conformity with applicable state and federal laws and regulations and quality and safety standards” and ii) within the financial capacity of the Commonwealth.

M.G.L. Ch. 118E § 13D directs EOHHS, or an agency designated by EOHHS, to perform its rate making functions, after conducting a public hearing on proposed rates, at least annually for institutional providers and at least biennially for non-institutional providers.

101 CMR 361 establishes rates of payment for continuous skilled nursing services rendered by eligible providers to publicly aided individuals. The rates set forth in 101 CMR 361.00 also apply to individuals covered by M.G.L. Ch. 152 [the Workers’ Compensation Act].

130 CMR 403 sets forth the regulatory obligations of home health agencies participating in MassHealth.

Summary:

The proposed legislation inserts a new section 83 into chapter 118, directing EOHHS to increase the budget for continuous skilled nursing care [subject to appropriation] in a stepwise fashion over 2025, 2026, and 2027 with the goal of filling at least 85% of continuous skilled nursing hours authorized by MassHealth by 2027. The proposed legislation also directs MassHealth to submit an annual report detailing the number of filled and unfilled hours authorized by MassHealth, the number of reductions in hours and the number of appeals of reductions or modifications of hours of continuous skilled nursing care. Finally, the proposed legislation directs MassHealth to review the wage payment rates established by home health agencies that provide continuous skilled nursing care, conduct an analysis and make recommendations on criteria to be included in any future reporting by these home health agencies.