Final Repeal of Commonwealth Care Related Regulations (VOTE)

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Board of Directors Meeting, June 11, 2015
On April 9, 2015, Board of Directors voted to issue draft repeal of the following Commonwealth Care related regulations:

- 956 CMR 2.00
- 956 CMR 3.00

These regulatory repeals are an outgrowth of legislative changes for implementation of the Affordable Care Act (ACA)

Today, we are requesting the Board of Directors vote on final repeal of regulations
## Repeal of Commonwealth Care Related Regulations

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<thead>
<tr>
<th>Policy</th>
<th>Summary</th>
<th>Reason for Statutory Repeal</th>
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| Medicaid MCO Participation in Commonwealth Care 956 CMR 2.00 | • Part of Chapter 58 of the Acts of 2006  
• Governed the process under which the Medicaid Managed Care Organizations would be selected to provide coverage for Commonwealth Care members                                                                                                                                     | • In light of ACA implementation, the General Court repealed the existing Commonwealth Care statute, G.L. c. 118H  
• Effective January 1, 2014. See St. 2013, c. 35, § 35                                                                                                                       |
| Eligibility and Hearing Process for Commonwealth Care 956 CMR 3.00 | • Part of Chapter 58 of the Acts of 2006  
• Established the income level requirements and other eligibility factors for individual’s participation in Commonwealth Care as well as program responsibilities, enrollment process, and premium payment process  
• The regulations also describe the hearing process for applicants and enrollees                                                                                                   | • In light of ACA implementation, the General Court repealed the existing Commonwealth Care statute, G.L. c. 118H  
• Effective January 1, 2014. See St. 2013, c. 35, § 35                                                                                                                       |
Public Comment Period and Hearing

- The Health Connector issued the proposed repeal of the regulations for public comment following the Board meeting on April 9, 2015.
- A public hearing was held on May 19, 2015 at the Health Connector’s offices in Boston.
- No parties testified at the public hearing, nor were any written comments submitted.
- At this time, Health Connector staff is not recommending any changes to the proposed repeal of the aforementioned regulations.
- Staff recommends that the Board issue the final repeal of the following regulations:
  - 956 CMR 2.00 (Medicaid MCO Participation in Commonwealth Care)
  - 956 CMR 3.00 (Eligibility and Hearing Process for Commonwealth Care)
Move that the Board approve the final repeal of 956 CMR 2.00 (Medicaid MCO Participation in Commonwealth Care) and 956 CMR 3.00 (Eligibility and Hearing Process for Commonwealth Care), as set forth in the staff recommendation.
**Timeline**

<table>
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<tr>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
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| **Friday, April 3**  
Send BOD memo on repeal | | | |
| **Thursday, April 9**  
BOD votes on draft repeal of Commonwealth Care regulations | **Tuesday, May 19**  
Hold public hearing | | |
| **Friday, April 10**  
Send notice and regulations to Local Government Advisory Committee (35 days before hearing; 14 days before publishing notice) | | | |
| **Friday, April 24**  
File small business impact statement and notice of public hearing, along with draft repeal of regulations for publication with the Regulations Division  
Publish notice in local newspaper, etc. | | | |
| **Thursday, June 5**  
Send BOD final regulation memo | | | |
| **Wednesday, June 10**  
File amended small business impact statement | | | |
| **Thursday, June 11**  
BOD votes on Final repeal of Commonwealth Care regulations | **Friday, June 19**  
Filing deadline for publication in Mass Register | | |
| | | **Friday, July 3 – Final repeal of Commonwealth Care regulations effective** | |