



Final Repeal of Commonwealth Care Related Regulations (VOTE)

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Board of Directors Meeting, June 11, 2015

Background & Agenda



- 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



Policy	Summary	Reason for Statutory Repeal
<p>Medicaid MCO Participation in Commonwealth Care 956 CMR 2.00</p>	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • In light of ACA implementation, the General Court repealed the existing Commonwealth Care statute, G.L. c. 118H • Effective January 1, 2014.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
<p>Eligibility and Hearing Process for Commonwealth Care 956 CMR 3.00</p>	<ul style="list-style-type: none"> • 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 	<ul style="list-style-type: none"> • In light of ACA implementation, the General Court repealed the existing Commonwealth Care statute, G.L. c. 118H • Effective January 1, 2014.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)


VOTE





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

May


 Friday, April 3
Send BOD memo on repeal

 Thursday, April 9
BOD votes on draft repeal of Commonwealth Care regulations


 Friday, April 10
Send notice and regulations to Local Government Advisory Committee (35 days before hearing; 14 days before publishing notice)


Notice and Comment period (starts with first notice and ends after hearing)





 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.


June

 Tuesday, May 19
Hold public hearing


 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

July

 Friday, July 3 – Final repeal of Commonwealth Care regulations effective

August