

To: Health Connector Board of Directors
CC: Audrey Morse Gasteier, Executive Director
From: Michael E. Cannella, Assistant General Counsel
Date: May 8, 2026
Re: Minimum Creditable Coverage Regulations – Public Comment Summary and Adoption of Final Regulations

Background and Overview

During the Board of Directors meeting on February 12, 2026, the Health Connector Board voted to propose amendments to the Health Connector’s Minimum Creditable Coverage (“MCC”) regulations that would amend the definition of "Preventive Health Services" as appearing at 956 CMR 5.02 by adding the qualifying phrase: "provided, however, that these services shall, at minimum, include all such preventive health services required by established federal regulatory and sub-regulatory guidance pursuant to 42 U.S.C. § 300gg-13 as of July 1, 2025". Staff presented to the Board that these proposed amendments, if adopted, would be published to align the change with the upcoming 2027 tax year. The Board’s vote in favor of proposing this amendment initiated a public comment period which lasted until April 2, 2026, on which day the Health Connector held a public hearing to receive testimony regarding the proposed amendments. The Health Connector received no testimony during the public hearing but did receive two written comments,¹ and both were in support of the amendment as proposed.

Process for Finalizing Amendments to Regulations

The Massachusetts Administrative Procedures Act required the Health Connector to hold a public comment period and receive testimony regarding the amendments to 956 CMR 5.00 proposed by the Board in February. The next step in the process is for the Board to consider the information collected from the public comment period and public hearing prior to voting on whether to adopt the proposed amendments. Because both comments received by the Health Connector were supportive of the amendments to 956 CMR 5.00 as proposed, staff do not recommend making further changes to the proposed amendments prior to the Board considering their adoption as final. If the Board votes to adopt the proposed amendments, the Health Connector will file the finalized amendments with the Secretary of the Commonwealth in December 2026 to ensure that the changes are published (become effective as a matter of law) to align with the 2027 tax year.

¹ Written comments were submitted by the Health Equity Compact and the Massachusetts Department of Public Health.

Board Recommendation and Next Steps

Health Connector staff recommend that the Board vote to adopt as final the proposed amendments 956 CMR 5.00 that will set a floor for the definition of Preventive Health Services that Massachusetts residents must ensure are covered in their health insurance plans in order to satisfy the Individual Mandate. If the Board votes to adopt the proposed amendments, the Health Connector will file the finalized amendments with the Secretary of the Commonwealth in December 2026 to ensure that the changes are published (become effective as a matter of law) to align with the 2027 tax year.

Figure 1. Regulatory Timeline for Amendments If Adopted by the Board

