

New Nursing Home Disclosure Requirements per Chapter 343 of the Acts of 2024

(the market review law)

January 2026

MassHealth's new **Disclosure Form** for nursing homes is a comprehensive reporting document designed to increase transparency regarding the ownership, management, and financial structure of long-term care facilities.¹

Based on regulatory updates and industry guidance from the Massachusetts Senior Care Association (MSCA), the key details of this form include:

1. Purpose and Legislative Origin

- **Implementation of New Law:** The form is being implemented as part of the state's response to **Chapter 343 of the Acts of 2024** (the market review law), which was passed to provide greater oversight of healthcare transactions following the Steward Health Care crisis.²
- **Transparency Goals:** It aims to give state agencies better visibility into for-profit nursing home structures, specifically those involving **private equity firms, Real Estate Investment Trusts (REITs),** and complex management service organizations.³

2. Design and Pattern

- **Medicare Alignment:** The form is explicitly **patterned after the Mandatory Medicare Provider Enrollment Off-Cycle Revalidation form** (specifically CMS Form 855A).⁴ This alignment is intended to streamline reporting for facilities that already report similar data at the federal level.
- **Coordinated Regulation:** The disclosure requirements align with the **Rate Year 2026 Medicaid nursing facility regulations** and the Center for Health Information and Analysis (CHIA) regulation **957 CMR 7.00.**⁵

3. Information Collected

Facilities are required to disclose extensive data, including:

- **Ownership and Control:** Details on all individuals or entities with a direct or indirect ownership interest of **5% or more.**⁶
- **Related-Party Transactions:** Financial arrangements with affiliated entities, such as realty companies (REITs), management companies, or consulting firms.⁷
- **Business Transactions:** Significant transactions with subcontractors that exceed **\$25,000** over a 12-month period.⁸
- **Managing Employees:** Identification of key personnel such as administrators, medical directors, and others with operational or managerial control.
- **Criminal Convictions:** Disclosure of any owners or managing employees who have been convicted of crimes related to health care programs.

4. Filing Timeline

- **Expected Start:** While specific deadlines will be issued via a MassHealth Administrative Bulletin, the initial filing is anticipated to occur in the **first quarter of calendar year 2026.**⁹

Mandatory Requirement: Completion of this form is a condition of participation in the MassHealth program; failure to submit it accurately and on time can lead to penalties or termination of the facility's provider agreement.