



How to Choose the Right Massachusetts Agency Path

Massachusetts now separates nonmedical home care, skilled home health, hospice, and worker-placement models more clearly. The correct path depends on the services, workforce relationship, payer, and the timing of the new home-care licensing rollout.

Nonmedical Home Care Agency

Chapter 180 of the Acts of 2026 created Massachusetts' first statewide license for agencies providing compensated home care services. The definition includes help with eating, toileting, dressing, bathing, transfers, ambulation, housekeeping, laundry, companionship, and similar supports in a consumer's residence.

The law covers agencies that employ home care workers, contract with entities that employ them, or match consumers with entities providing home care services. Licensed agencies will face standards for background checks, training, service plans and contracts, insurance, payroll compliance, complaints, emergency preparedness, quality, ownership, and financial capacity.

Current rollout status

As of October 2026, the law has been enacted, but the complete licensing regulations, standard application process, fees, and compliance deadline are still being developed. EOHHS must create temporary-license rules and adopt full regulations. The final date by which home care agencies must be licensed will be set during implementation.

Agencies should prepare now, but should not treat a private certification, accreditation, or former employment-agency filing as the new Massachusetts home care license.

Home Health Agency (HHA)

Official sources conflict. M.G.L. c. 111, section 51K requires a three-year DPH HHA license and restricts unlicensed use of the words "home health," while current Mass.gov guidance says DPH does not license HHAs.

Confirm current implementation with DPH before opening or marketing. Medicare certification is separate and is required before MassHealth enrollment. Section 51K gives Medicare- or Medicaid-certified HHAs a streamlined initial application, subject to suitability and other state requirements.

Hospice Program

Hospice is a distinct palliative and supportive care model for terminally ill patients and their families. Massachusetts hospice programs are licensed by DPH under 105 CMR 141.00. The process addresses ownership, suitability, administration, clinical services, quality, records, location, and inspection requirements.

State hospice licensure does not automatically provide Medicare certification, MassHealth enrollment, accreditation, or payer contracts. Each approval must be evaluated separately.

Massachusetts update

- The new nonmedical home care licensing law was approved August 6, 2026.
- Full regulations are due within one year of the law's effective date.
- EOHHS will set the mandatory licensing date after the regulations are adopted.
- Temporary licenses are planned for qualifying agencies contracted with an Aging Services Access Point or MassHealth.

Questions to consider

- Will the agency provide nonmedical support, skilled clinical care, hospice, or referrals only?
- Will workers be agency employees, employees of a contracted entity, or placed with a household that pays them directly?
- Will payment come from private pay, MassHealth, Medicare, an Aging Services Access Point, or another payer?
- Is the agency exempt from the new home care definition because it is an HHA, licensed hospice, government entity, ASAP, or house-cleaning-only business?

Referral and placement models

Massachusetts separately regulates employment and placement agencies. A business that places or refers domestic workers may need Department of Labor Standards approval. The new home care law also reaches certain matching models, so the workforce and payment relationship must be reviewed carefully.

Do not build from the old rules

A business plan based only on Massachusetts' former unlicensed-home-care environment may soon be incomplete. Build policies, screening, training, service agreements, insurance, ownership disclosures, and financial systems with the new framework in mind while watching for implementation guidance.

Planning a Massachusetts agency?

NorthEnd Consulting helps owners define their services, understand the changing requirements, and prepare for the licensing, certification, or compliance path that applies.

Visit northendconsultants.com to discuss your agency plan

Current as of October 2026. Massachusetts is implementing a new home care licensing system; forms, fees, regulations, and deadlines may change. Licensing, certification, enrollment, accreditation, and payer decisions are controlled by applicable authorities. This is a general planning resource. NorthEnd Consulting does not guarantee approval.