

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2179707
<b>Decision Date:</b>	4/5/2022	<b>Hearing Date:</b>	January 20, 2022
<b>Hearing Officer:</b>	Stanley M. Kallianidis	<b>Record Open Date:</b>	March 18, 2022

**Appellant Representative:**



**MassHealth Representative:**

Cassandra Moura, Taunton



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid  
Board of Hearings  
100 Hancock Street, 6<sup>th</sup> Floor  
Quincy, MA 02171*

## APPEAL DECISION

<b>Appeal Decision:</b>	Denied	<b>Issue:</b>	Verifications
<b>Decision Date:</b>	4/5/2022	<b>Hearing Date:</b>	January 20, 2022
<b>MassHealth Rep.:</b>	Cassandra Moura	<b>Appellant Rep.:</b>	[REDACTED]

### Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

### Jurisdiction

Through a notice dated November 30, 2021, MassHealth denied the appellant's application for MassHealth benefits because MassHealth determined that the verification process had not yet been completed (see 130 CMR 515.008 and Exhibit 1). The appellant filed this appeal in a timely manner on December 28, 2021 (see 130 CMR 610.015 and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

### Action Taken by MassHealth

MassHealth denied the appellant's application for MassHealth benefits.

### Issue

Pursuant to 130 CMR 515.008, has the appellant provided MassHealth with the requested verifications necessary for a determination of his eligibility for benefits?

## **Summary of Evidence**

The MassHealth representative testified that the appellant's application of September 24, 2021 was denied due to a failure to provide timely verifications (Exhibit 1). A verification request was sent out to the appellant. The verifications were not submitted and a Notice of Denial was issued on November 30, 2021 (Exhibit 1). The missing verification at issue is proof of the appellant's immigration status.

The appellant's representative testified that additional time was required to research and provide the appellant's immigration status to MassHealth. The record was left open for 30 days and extended an additional 30 days so that this information could be submitted into the record. On March 8, 2022, the appellant's representative indicated that she would not be able to provide this required documentation to MassHealth.

## **Findings of Fact**

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth on September 24, 2021 (Exhibit 1).
2. The appellant's application was denied due to a failure to provide verifications (Exhibit 1).
3. The missing verification at issue is proof of the appellant's immigration status (testimony).
4. The appellant's representative was unable to provide the requested information through the record-open period.

## **Analysis and Conclusions of Law**

The applicant or member must cooperate with MassHealth in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of the MassHealth program including recovery (130 CMR 515.008(A)). If the requested information is not received, MassHealth benefits may be denied (130 CMR 516.001).

In the instant appeal, I have found that the appellant applied for MassHealth on September 24, 2021. The appellant's application was denied due to his failure to verify his immigration status.

The appellant was unable to provide this documentation through an extended record open period.

Based upon the regulation cited above, and where the appellant did not provide the necessary verifications for a determination of eligibility, his application was correctly denied.

The appeal is therefore denied.

## **Order for MassHealth**

None.

## **Notification of Your Right to Appeal to Court**

If you disagree with this decision, you have the right to appeal to Court in accordance with Chapter 30A of the Massachusetts General Laws. To appeal, you must file a complaint with the Superior Court for the county where you reside, or Suffolk County Superior Court, within 30 days of your receipt of this decision.

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Stanley M. Kallianidis  
Hearing Officer  
Board of Hearings

cc:

