

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2201117
Decision Date:	5/19/22	Hearing Date:	03/14/2022
Hearing Officer:	Christine Therrien		

Appearance for Appellant:
None

Appearance for Nursing Facility:
None



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, Quincy, Massachusetts 02171*

APPEAL DECISION

Appeal Decision:	Dismissed	Issue:	NF Discharge
Decision Date:	5/19/22	Hearing Date:	03/14/2022
Nursing Facility's Rep.	None	Appellant's Rep.:	None
Hearing Location:	Telephonic		

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

Through a notice dated 1/27/22 the nursing facility issued a Notice of Intent to Discharge the resident with 30 Days' Notice because appellant's health has improved sufficiently, and he no longer needs the services provided by the facility (Exhibit 1). The appellant filed this appeal in a timely manner on 2/10/22 (130 CMR 610.015(B) and Exhibit 2). A hearing was scheduled for 3/14/22 at 11:00 A.M. by telephone (Exhibit 3). The appellant and the nursing facility failed to appear to the hearing.

On 3/30/22 the Board of Hearings issued an Order to Show Cause to the Nursing Facility requesting that the nursing facility respond within 10 days if it wishes (Exhibit 4). The nursing facility failed to respond. On 3/30/22 the Board of Hearings also issued a separate dismissal to the appellant stating that the appellant has 10 days to request that the dismissal be vacated (Exhibit 5). No response has been received by the appellant.

As no response was received by the Board of Hearings from appellant or the nursing facility within ten days on 3/30/22 the matter is DISMISSED pursuant to 130 CMR 610.048(A)(3).

Christine Therrien
Hearing Officer
Board of Hearings

cc: Webster Manor Rehab, 745 School Street, Webster, MA 01570.