

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2202552
<b>Decision Date:</b>	10/6/2022	<b>Hearing Date:</b>	05/09/2021
<b>Hearing Officer:</b>	Sara E. McGrath		

**Appearances for Appellant:**



**Appearances for MassHealth:**

Yous Khieu, Chelsea MassHealth



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

## APPEAL DECISION

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Eligibility
<b>Decision Date:</b>	10/6/2022	<b>Hearing Date:</b>	05/09/2021
<b>MassHealth Rep.:</b>	Yous Khieu	<b>Appellant Rep.:</b>	
<b>Hearing Location:</b>	Board of Hearings (Remote)		

### Authority

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

### Jurisdiction

Through notice dated March 23, 2022, MassHealth notified the appellant that she is not eligible for MassHealth benefits because she did not give MassHealth the information it needs to decide her eligibility within the required time frame (Exhibit 1). The appellant timely appealed this notice on April 5, 2022 (Exhibit 1). The hearing was rescheduled once at the request of the appellant's attorney (Exhibit 4). At the conclusion of the hearing, the record was held open, with multiple extensions, for the appellant to submit additional documentation and for MassHealth to review and respond (Exhibit 5). After reviewing the additional documentation, MassHealth notified the parties that all outstanding documentation had been submitted, thus preserving the February 1, 2022 application date (Exhibit 7).

The appeal is therefore appropriately dismissed (130 CMR 610.035(A)(8)).

### 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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Sara E. McGrath  
Hearing Officer  
Board of Hearings

cc: Chelsea MassHealth

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