

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision: Dismissed

Appeal Number: 2202918

Decision Date: 6/2/2022

Hearing Date: May 17, 2022

Hearing Officer: Stanley M.
Kallianidis

Appellant Representative:



MassHealth Representative:

Patricia Rogers, Taunton



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



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APPEAL DECISION

Appeal Decision:	Dismissed	Issue:	Verifications
Decision Date:	6/2/2022	Hearing Date:	March 17, 2022
MassHealth Rep.:	Patricia Rogers	Record Open Date:	May 24, 2022
Hearing Location:	Taunton		

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 March 17, 2022, 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 April 15, 2012 (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

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 515.008 and 516.001, in denying the appellant's application due to a failure to comply with its verification request.

Summary of Evidence

A representative from MassHealth testified that the appellant's January 27, 2022 application was denied on March 17, 2022 because the verification process had not yet been completed (Exhibits 1 & 3). A request for further verifications had been sent out to the appellant on November 1, 2012 (Exhibit 3). Among the requested verifications still outstanding as of the date of hearing were bank statements from two Santander accounts.

The appellant's representative testified that the appellant needed additional time to procure the requested verifications.

The record was left open for one week for the requested documents to be obtained (Exhibit 4). On May 27, 2022, the MassHealth representative indicated that she had approved the application with a start date of December 1, 2021 (Exhibit 5).

Findings of Fact

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth benefits on January 27, 2022 (Exhibit 3).
2. The application was denied because the verification process had not yet been completed (Exhibits 1 & 3).
3. As of the denial and hearing date, the requested verifications were bank statements from two Santander accounts (testimony).
4. The record was left open until May 24, 2022 for the submission of the requested verifications (Exhibit 4).
5. On May 27, 2022, the MassHealth representative indicated that she had approved the application with a start date of December 1, 2021 (Exhibit 5).

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, the appellant's application was denied due to his failure to provide documents necessary to determine his eligibility. The requested verifications were submitted during the record-open period and MassHealth was able to approve the appellant's application with a start date of December 1, 2021.

I conclude, therefore, that the issue of outstanding verifications has become moot.

Accordingly, the appeal is dismissed.

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.

Stanley M. Kallianidis
Hearing Officer
Board of Hearings

cc:

