

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2203915
<b>Decision Date:</b>	9/30/2022	<b>Hearing Date:</b>	June 21, 2022
	<b>Hearing Officer:</b>	Stanley M. Kallianidis	

**Appellant Representative:**



**MassHealth Representative:**

Tamika Eutsay for Jessica Barney, Taunton



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

# APPEAL DECISION

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Verifications
<b>Decision Date:</b>	9/30/2022	<b>Hearing Date:</b>	June 21, 2022
<b>MassHealth Rep.:</b>	Tamika Eutsay for Jessica Barney, Taunton	<b>Record Open Date:</b>	September 13, 2022
<b>Hearing Location:</b>	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 May 11, 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 May 23, 2022 (see 130 CMR 610.015 and Exhibit 1). 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 March 28, 2022 application was denied because the verification process had not yet been completed (Exhibits 1 & 2). A request for further verifications had been sent out to the appellant. Among the requested verifications still outstanding as of the date of hearing were his bank account statements and his nursing home admission form (Exhibit 2).

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

The record was left open for a period that extended to September 13, 2022 for the requested documents to be obtained (Exhibit 3). On September 13, 2022, the MassHealth representative indicated that she had received all documents and would now process the appellant's March 28, 2022 application (Exhibit 4).

## **Findings of Fact**

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth benefits on March 28, 2022 (Exhibit 2).
2. The application was denied because the verification process had not yet been completed (Exhibits 1 & 2).
3. As of the denial and hearing date, the requested verifications were the appellant's bank account statements and his nursing home admission form (Exhibit 2).
4. The record was left open for a period that extended to September 13, 2022 for the requested documents to be obtained (Exhibit 3).
5. On September 13, 2022, the MassHealth representative indicated that she had received all documents and would now process the appellant's March 28, 2022 application (Exhibit 4).

## **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 indicated that it would now process the appellant's March 28, 2022 application.

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.

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Stanley M. Kallianidis  
Hearing Officer  
Board of Hearings

cc: Taunton MEC