

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2204099
Decision Date:	9/14/2022	Hearing Date:	07/20/2022
Hearing Officer:	Susan Burgess-Cox	Record Open to:	09/12/2022

Appearance for Appellant:

Pro se

**Appearance for Commonwealth Care
Alliance (CCA):**

Cassandra Horne & Jeremiah Mancuso



*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:	Prior Authorization
Decision Date:	9/14/2022	Hearing Date:	07/20/2022
ICO's Reps.:	Cassandra Horne & Jeremiah Mancuso	Appellant's Rep.:	Pro se
Hearing Location:	All Parties Appeared by Telephone	Aid Pending:	No

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

Through a notice dated April 25, 2022, Commonwealth Care Alliance, (CCA), a MassHealth-contracted Integrated Care Organization (ICO), denied a Level 1 Appeal regarding homemaker services. The appellant filed this external appeal of the final decision of the ICO on May 23, 2022. (130 CMR 610.018; Exhibit 2). On June 1, 2022, the Board of Hearings dismissed the appeal as the appellant did not demonstrate that there was an appealable action. (130 CMR 610.035; Exhibit 3). The appellant was provided the opportunity to request that the Board of Hearings vacate the dismissal by providing an entire copy of the notice that prompted the appeal. (130 CMR 610.015; 130 CMR 610.035; 130 CMR 610.048; Exhibit 3).

On June 13, the Board of Hearings received a copy of the notice on appeal. (Exhibit 1). The Board of Hearings accepted this documentation as timely and vacated the dismissal. (Exhibit 4). The Board of Hearings scheduled a hearing for July 20, 2022. (Exhibit 4).

A decision of an ICO to "deny or provide limited authorization of a requested service, including the type or level of service, including determinations based on the type or level of service, requirements for medical necessity, appropriateness, setting, or effectiveness of a covered benefit" is valid grounds for appeal. (130 CMR 610.032(B)).

The record was held open to give the appellant the opportunity to provide additional evidence. (Exhibit 6). During the record open period, the appellant provided additional evidence resulting in CCA alliance adjusting their decision and approving the prior authorization request on appeal. (Exhibit 7; Exhibit 8). As a result of the adjustment made by CCA, the appellant agreed to withdraw the appeal. (Exhibit 8).

As CCA adjusted their initial determination and the appellant agreed to this adjustment, this appeal is dismissed. (130 CMR 610.051(B)).

Susan Burgess-Cox
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Commonwealth Care Alliance SCO, Attn:
Cassandra Horne, 30 Winter Street, Boston, MA 02108