

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2204446
Decision Date:	8/9/2022	Hearing Date:	07/22/2022
Hearing Officer:	Susan Burgess-Cox	Record Open to:	

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Melanie Herbert



*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:	Denied	Issue:	Eligibility
Decision Date:	8/9/2022	Hearing Date:	07/22/2022
MassHealth's Rep.:	Melanie Hebert	Appellant's Rep.:	Pro se
Hearing Location:	All Parties Appeared by Telephone	Aid Pending:	No

Authority

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

Jurisdiction

Through notices dated June 7, 2022, MassHealth determined the appellant's children eligible as of February 21, 2022. (130 CMR 505.000; Exhibit 1A; Exhibit 1B). The appellant appealed both decisions in a timely manner on June 9, 2022. (130 CMR 610.015; Exhibit 2). An agency determination regarding the scope and amount of assistance is valid grounds for appeal. (130 CMR 610.032).

Action Taken by MassHealth

MassHealth determined the appellant's children eligible as of February 21, 2022.

Issue

Whether MassHealth was correct in determining the eligibility start date for the appellant's children.

Summary of Evidence

The MassHealth representative, from the Springfield MassHealth Enrollment Center, testified that MassHealth received an application for coverage for two children on March 3, 2022. MassHealth determined the children eligible for MassHealth Standard as of February 21, 2022.

The MassHealth representative testified that this decision was based upon the regulations that allow MassHealth to provide coverage 10 days prior to the date of application. The date of application is the date it is received by paper or fax or the day submitted if it is in-person, by telephone or on-line. The appellant did not present any evidence to dispute the date of the application.

The appellant testified that she had twins born prior to the start date provided by MassHealth and she was seeking coverage for both as of their date of birth. The appellant testified that the twins were in the Neonatal Intensive Care Unit (NICU) for a period and she has bills for their birth and the care received during their admission in the NICU. The appellant testified that she was not aware of the fact that coverage would only go back 10 days prior to the date of the application. The appellant testified that she thought that she would receive coverage back to the date of birth once she submitted an application. The MassHealth representative responded that if the appellant was eligible and enrolled in MassHealth Standard prior to the birth, the coverage could go back to that date. However, the appellant was not eligible or enrolled in MassHealth at the time of the birth. Therefore, MassHealth could only process the eligibility based upon the date the agency received the application for the children.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. On March 3, 2022, MassHealth received an application for benefits for the appellant's two children.
2. MassHealth determined the children eligible as of February 21, 2022.
3. The children were born prior to the start date established by MassHealth.
4. The appellant was seeking coverage back to the date of birth.

Analysis and Conclusions of Law

MassHealth provides access to healthcare by determining eligibility for the coverage type that provides the most comprehensive benefits for the individual or family. (130 CMR 501.003(A)). MassHealth offers several coverage types: Standard, CommonHealth, CarePlus, Family Assistance, Small Business Employee Premium Assistance, and Limited. (130 CMR 501.003(B)). The coverage type for which a person is eligible is determined based on the individual's income and circumstances. (130 CMR 501.003(B)). The appellant did not dispute the eligibility decision regarding the coverage type. Instead, the appellant sought MassHealth Standard coverage back to the date of birth for her children.

To apply for MassHealth, an individual or his or her authorized representative must file an application online at www.MAHealthConnector.org, complete a paper application, complete a telephone application, or apply in person at a MassHealth Enrollment Center (MEC). (130 CMR 502.001). The date of application for an online, telephonic, or in-person application is the date the application is submitted to MassHealth. (130 CMR 502.001(A)(1)(a)). The date of application for a paper application that is either mailed or faxed is the date the application is received by the MassHealth agency. (130 CMR 503.001(A)(1)(b)). Both parties agreed that the appellant submitted an application to MassHealth on March 3, 2022. MassHealth considered this date in processing the appellant's application for benefits. (130 CMR 502.001(A)(1)(a)). This decision was correct.

The date of coverage is determined by the coverage type for which the applicant may be eligible. (130 CMR 502.006). The regulations at 130 CMR 505.000 describe the rules for establishing this date. (130 CMR 502.006). The appellant's children are eligible for MassHealth Standard. The medical coverage date for MassHealth Standard begins on the 10th day before the date of application, if MassHealth receives all required verifications, within 90 days of the applicant's receipt of MassHealth's Request for Information Notice. (130 CMR 502.003; 130 CMR 502.006; 130 CMR 505.002(P)(1)). The appellant provided all of the required verifications and MassHealth determined the children eligible 10 days prior to the date of the application. MassHealth does provide provisional eligibility for applicants while waiting for outstanding corroborative information. (130 CMR 502.003(E)). However, this coverage also begins 10 days before the application is received. (130 CMR 502.002). In this case, MassHealth received the application on March 3, 2022. Ten days prior to that date is February 21, 2022. MassHealth was correct in determining a coverage start date of February 21, 2022.

This appeal is denied.

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.

Susan Burgess-Cox
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104, 413-785-4186