

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2204619
<b>Decision Date:</b>	8/23/2022	<b>Hearing Date:</b>	07/21/2022
<b>Hearing Officer:</b>	Rebecca Brochstein	<b>Record Open Date:</b>	09/16/2022

**Appearances for Appellant:**




**Appearances for MassHealth:**

Ana Costa, Taunton MEC



*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>	Long-term care eligibility
<b>Decision Date:</b>	8/23/2022	<b>Hearing Date:</b>	07/21/2022
<b>MassHealth's Rep.:</b>	Ana Costa, Taunton MEC	<b>Appellant's Reps.:</b>	
<b>Hearing Location:</b>	Board of Hearings (Remote)		

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The issue on appeal involved a denial of the appellant's long-term care application for excess assets, including assets in a trust. After hearing, the record was reopened for MassHealth to seek an opinion from the agency's legal unit. The MassHealth case worker subsequently reported that based on the legal unit's response, the trust would be considered non-countable and the appellant's long-term care application would be approved.

As the issue on appeal has been resolved in the appellant's favor, the appeal is dismissed.

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Rebecca Brochstein  
Hearing Officer  
Board of Hearings

cc: Taunton MEC

