

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2206807
Decision Date:	10/27/2022	Hearing Date:	10/05/2022
Hearing Officer:	Susan Burgess-Cox	Record Open to:	10/19/2022

Appearance for Appellant:




Appearance for MassHealth:

Kathleen Towle for Jamie Lapa



*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:	Start Date
Decision Date:	10/27/2022	Hearing Date:	10/05/2022
MassHealth's Rep.:	Kathleen Towle for Jamie Lapa	Appellant's Rep.:	
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. The issue on appeal involved a decision regarding a period of ineligibility for the appellant due to a transfer of assets. (130 CMR 520.Exhibit 1). An appeal was filed in a timely manner. (130 CMR 610.015; Eligibility Op. Memo 20-09; Exhibit 2; Exhibit 3). Denial of assistance and a decision regarding the scope and amount of assistance are both valid grounds for appeal.

At hearing, counsel for the appellant noted that the assets at issue were spent in an appropriate and permissible manner. The record was held open for MassHealth to review and respond to information presented to MassHealth prior to the hearing. (Exhibit 6).

During the record open period, MassHealth determined that the appellant cured the transfer at issue. (Exhibit 7). The MassHealth representative noted future eligibility issues for the agency to address due to information received during the appeal process. (Exhibit 7). The MassHealth representative noted that the agency issued a new information request in to allow the continuance of the application process. (Exhibit 7).

As MassHealth has adjusted their decision, the issue on appeal has been resolved. This appeal is dismissed. (130 CMR 610.035(A)(8); 130 CMR 610.051(B)).

The appellant has appeal rights on any subsequent decision issued by MassHealth.
(130 CMR 610.000).

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

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