

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2206952
<b>Decision Date:</b>	9/18/2023	<b>Hearing Date:</b>	6/29/2023
<b>Hearing Officer:</b>	Patrick Grogan	<b>Record Open to:</b>	9/1/23

**Appearance for Appellant:**



**Appearance for MassHealth:**

Kelly Souza

**Interpreter:**

N/A



*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

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Eligibility, Verifications
<b>Decision Date:</b>	9/18/2023	<b>Hearing Date:</b>	6/29/2023
<b>MassHealth's Rep.:</b>	Kelly Souza	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Remote (Tel)	<b>Aid Pending:</b>	No

### Procedural Background

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The issue on appeal was MassHealth's August 24, 2022, denial of the Appellant's application for MassHealth due to the Appellant not providing information to determine the Appellant's eligibility within the required time frame. (Exhibit 1; 130 CMR 515.008) The Appellant timely appealed on September 22, 2022. (Exhibit 2, p.2<sup>1</sup>; 130 CMR 610.015(B).)

At the June 29, 2023 hearing, the record was left open until August 18, 2023, for the Appellant to submit necessary verifications and information regarding spend down of assets, and until September 1, 2023, for MassHealth to review the proffered information to determine the Appellant's eligibility. (Exhibit 6) The Appellant requested additional time to leave the record open due to severe storm impact. (Exhibit 6A) The record open was extended for the Appellant until August 25, 2023. (Exhibit 6A) On August 23, 2023 additional information was provided to MassHealth. (Exhibit 7) On September 15, 2023, MassHealth responded that all information had been processed and the Appellant was reopened, with no lapse in coverage. (Exhibit 8, p.5).

As no issue on the appeal of the August 24, 2022, denial notice for MassHealth due to the

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<sup>1</sup> A Hearing commenced however the case was placed on hold while probate proceedings were pending. (Exhibit 2, pg. 2) The Conservatorship proceeded (Exhibit 3) and the Conservator filed a subsequent Fair Hearing Request. (Exhibit 2, pg. 2)

Appellant not providing information to determine the Appellant's eligibility within the required time frame pursuant to 130 CMR 515.008 remains in dispute, this matter is DISMISSED pursuant to 130 CMR 610.051(B).

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Patrick Grogan  
Hearing Officer  
Board of Hearings

cc:

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780, 508-828-4616