

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision: Dismissed

Appeal Number: 2207133

Decision Date: 12/6/2022

Hearing Date: 10/17/2022

Hearing Officer: Radha Tilva

Appearance for Appellant:
None

Appearance for MassHealth:
None



*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:	Nursing Home Discharge
Decision Date:	12/6/2022	Hearing Date:	10/17/2022
Nursing Facility Rep.:	None	Appellant's Rep.:	None
Hearing Location:	Quincy Harbor South	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 September 16, 2022 the nursing facility issued a Notice of Intent to Discharge the resident with Less than 30 Days' Notice because appellant's health improved sufficiently such that the resident no longer needs services provided by the facility (Exhibit 1). The appellant filed this appeal in a timely manner on September 21, 2022 (see 130 CMR 610.015(B) and Exhibit 2). A hearing was scheduled for October 17, 2022 at 10:00 A.M. (Exhibit 3). The appellant and the nursing facility failed to appear to the hearing.

On October 27, 2022 the Board of Hearings issued an Order to Show Cause to the Nursing Facility requesting that the nursing facility respond within 10 days if it wishes (Exhibit 4). The nursing facility failed to respond. On October 27, 2022 the Board of Hearings also issued a separate dismissal to the appellant stating that the appellant has 10 days to request that the dismissal be vacated (Exhibit 5). No response has been received by the appellant.

As no response was received by the Board of Hearings from appellant or the nursing facility within ten days of October 27, 2022 the matter is DISMISSED pursuant to 130 CMR 610.048(A)(3).

Radha Tilva
Hearing Officer
Board of Hearings

