

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2209173
<b>Decision Date:</b>	4/19/2023	<b>Hearing Date:</b>	03/06/2023
<b>Hearing Officer:</b>	Paul C. Moore	<b>Record Closed:</b>	04/18/2023

**Appellant Representatives:**



**MassHealth Representative:**

Evelyn Daniel, Springfield MassHealth  
Enrollment Center (MEC) (by telephone)



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid  
Board of Hearings  
100 Hancock Street, 6<sup>th</sup> Floor  
Quincy, MA 02171*

## APPEAL DECISION

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Long-Term Care; Excess Assets
<b>Decision Date:</b>	4/19/2023	<b>Hearing Date:</b>	03/06/2023
<b>MassHealth Rep.:</b>	Evelyn Daniel	<b>Appellant Reps.:</b>	POA, daughters
<b>Hearing Location:</b>	Remote	<b>Aid Pending:</b>	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 was a denial of the appellant's MassHealth long-term care application due to excess assets; and specifically, the amounts of the cash surrender values of two life insurance policies (\$7,596.12 and \$5,840.46, respectively). At the close of the appeal hearing, the hearing officer left the record of this appeal open for the appellant to submit evidence that she had surrendered the relevant life insurance policies, and had used the cash proceeds of both to purchase an irrevocable pre-paid funeral contract, with a list of goods and services (Exh. 6). MassHealth subsequently reported to the hearing officer that the appellant reduced assets to \$2,000.00 or less (Exh. 11). MassHealth also reported that the appellant's application had not yet been approved, and that MassHealth still needs to determine a coverage start-date (Exh. 12). Therefore, this appeal is dismissed pursuant to the Fair Hearing Rules at 130 CMR 610.051(B), as the parties have reached resolution as to the matter at issue. As to any subsequent MassHealth eligibility determinations, the appellant will have further appeal rights.

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Paul C. Moore  
Hearing Officer  
Board of Hearings

cc: Dori Mathieu, Appeals Coordinator, Springfield MEC