

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2209511
Decision Date:	4/11/2023	Hearing Date:	01/17/2023
Hearing Officer:	Kimberly Scanlon	Record Open to:	02/28/2023

Appearance for Appellant:
Via telephone



Appearance for MassHealth:
Via telephone
Karen Ryan



*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:	Eligibility-Over Assets
Decision Date:	4/11/2023	Hearing Date:	01/17/2023
MassHealth's Rep.:	Karen Ryan	Appellant's Rep.:	
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 1	Aid Pending:	No

Authority

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 November 25, 2022 denial of the Appellant's April 2022 long-term care application because MassHealth determined that the Appellant has more countable assets than MassHealth benefits allow. (130 CMR 520.003; 520.004 and Exhibit 1). The Appellant timely appealed on December 22, 2022. (130 CMR 610.015(B) and Exhibit 2)

Following the hearing, the record was left open until February 14, 2023 for the Appellant to submit documentation showing a spend-down of (countable) assets. The record was also left open until February 28, 2023 for MassHealth to review the submitted documentation. (Exhibit 7). Additional information was provided to MassHealth. (Exhibit 7). MassHealth received the necessary documentation and responded on March 2, 2023 that the information received brings the Appellant under asset and preserved the Appellant's April 2022 application on the subsequent eligibility determination. (Exhibit 8).

As no issue on the appeal of the November 25, 2022 denial notice for over assets pursuant to 130

CMR 520.003 and 130 CMR 520.004 remains in dispute, this matter is dismissed pursuant to 130 CMR 610.051(B). Any subsequent denial notices issued by MassHealth may be separately appealed.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290

Appellant's Attorney: [REDACTED]
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