

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2301057
Decision Date:	4/28/2023	Hearing Date:	03/09/2023
Hearing Officer:	Alexis Demirjian	Record Open to:	04/28/2023

Appearance for Appellant:




Appearance for MassHealth:

Jennifer Moreno, Springfield MEC



*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:	Missing Verifications
Decision Date:	4/28/2023	Hearing Date:	03/09/2023
MassHealth's Rep.:	Moreno	Appellant's Rep.:	
Hearing Location:	Remote	Aid Pending:	No

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Through a notice dated January 11, 2023, MassHealth denied the appellant's application for MassHealth benefits because the Appellant did not provide information it needed to decide eligibility within the required time frame. (see 130 CMR 515.008 and Exhibit 2). The Appellant filed this appeal in a timely manner on January 31, 2023 (see 130 CMR 610.015(B) and Exhibit 2). Denial of assistance is valid grounds for appeal before the Board of Hearings. (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the Appellant's application for MassHealth long-term-care services for failure to provide information necessary to determine eligibility.

Issue

The appeal issue is whether MassHealth was correct in denying the Appellant's application for long-term-care services.

Summary of Evidence

On or about November 3, 2022, the Appellant applied for MassHealth long-term-care services. November 18, 2022, MassHealth sent out a request for more information with a deadline to receive verifications by December 18, 2022. The Appellant did not submit all the outstanding information. As a result, on January 11, 2023, MassHealth issued a final denial of the application.

At hearing, the Appellant asked for a record open period to submit the outstanding documentation. On April 27, 2023, MassHealth reported that they had received all outstanding verifications. MassHealth further reported that they had determined that the Appellant was ineligible for benefits due to being over assets, a separate denial notice will issue. The Appellant retains separate appeal rights related to the denial for being over assets, should they wish to do so they may file a new request for a Fair Hearing before the Board of Hearings to determine whether that determination was proper.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. On or about November 3, 2022, the Appellant applied for MassHealth long-term-care services. (Testimony; Exhibit 4)
2. On November 18, 2022, MassHealth sent out a request for more information with a deadline to receive verifications by December 18, 2022. (Testimony; Exhibit 4)
3. MassHealth did not receive all the necessary verifications by December 18, 2022. (Testimony; Exhibit 4)
4. On January 11, 2023, MassHealth denied the Appellant's application for long-term-care services due to failure to provide all necessary verifications. (Testimony; Exhibit 4)
5. The Appellant's representative requested a record open period to provide outstanding verifications. (Testimony; Exhibit 5)
6. MassHealth received all outstanding verifications during the record open period and was able to make an eligibility determination. (Exhibit 5)

Analysis and Conclusions of Law

The issue in this appeal was whether the Appellant submitted verifications to MassHealth in a timely manner. During the record open period, the Appellant was able to provide the outstanding information and MassHealth was able to process the case.

As the issue on appeal is missing verifications and that issue has been resolved, the appeal is dismissed. The Appellant has new appeal rights attached to the new determination made by MassHealth and may file a new appeal related to that determination.

Order for MassHealth

None.

Notification of Your Right to Appeal to Court

If you disagree with this decision, you have the right to appeal to Court in accordance with Chapter 30A of the Massachusetts General Laws. To appeal, you must file a complaint with the Superior Court for the county where you reside, or Suffolk County Superior Court, within 30 days of your receipt of this decision.

Alexis Demirjian
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104, 413-785-4186

[REDACTED]