

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2301181
Decision Date:	7/7/2023	Hearing Date:	03/14/2023
Hearing Officer:	Kimberly Scanlon	Record Open to:	04/18/2023

Appearance for Appellant:

Via telephone



Appearance for MassHealth:


Via telephone

Elizabeth Landry



*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:	7/7/2023	Hearing Date:	03/14/2023
MassHealth's Rep.:	Elizabeth Landry	Appellant's Rep.:	
Hearing Location:	Taunton MassHealth Enrollment Center Room 3 (Remote)	Aid Pending:	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 the January 24, 2023 denial letter of the Appellant's request for long-term care services that were filed on December 8, 2022 because MassHealth determined that the Appellant has more countable assets than MassHealth benefits allow. (See, 130 CMR 520.003; 520.004; Exhibit 1). The Appellant filed this appeal in a timely manner on February 14, 2023.¹ (See, 130 CMR 610.015(B); Exhibit 2).

Following the hearing, the record was left open until April 11, 2023 for the Appellant to submit additional documentation showing asset spend-down. The record was also left open until April 18, 2023 for MassHealth to review the submitted documentation. (See, Exhibit 7). On May 1, 2023, MassHealth indicated that the documentation has been received and the case was approved on April 21, 2023. (See, Exhibit 8, p. 1).

As no issue on the appeal of the January 24, 2023 denial notice for over assets remains in dispute, this matter is dismissed pursuant to 130 CMR 610.051(B).

¹ The fair hearing request form and accompanying documents were submitted via fax on February 14, 2023. The Appellant's signature was dated November 30, 2022. (See, Exhibit 2).

Kimberly Scanlon
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

