

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2301263
<b>Decision Date:</b>	5/16/2023	<b>Hearing Date:</b>	3/16/2023
<b>Hearing Officer:</b>	Patrick Grogan	<b>Record Open to:</b>	5/19/23

**Appearance for Appellant:**



**Appearance for MassHealth:**

Patricia Lemke

**Interpreter:**

N/A



*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

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Eligibility - Assets
<b>Decision Date:</b>	5/16/2023	<b>Hearing Date:</b>	3/16/2023
<b>MassHealth's Rep.:</b>	Patricia Lemke	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Remote (Tel)	<b>Aid Pending:</b>	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 MassHealth's December 8, 2022, denial of the Appellant's application for MassHealth due to the Appellant having more countable assets than MassHealth benefits allow. (Exhibit 1; 130 CMR 520.004) The Appellant timely appealed on February 16, 2023. (Exhibit 2; 130 CMR 610.015(B).)

At the hearing held on March 16, 2023, the record was left open until April 21, 2023, for the Appellant to submit necessary information regarding spend down of assets, and until April 28, 2023, for MassHealth to review the proffered information to determine the Appellant's eligibility. (Exhibit 5) The Appellant requested additional time to leave the record open. (Exhibit 6) The record open was extended for the Appellant until May 12, 2023 and for MassHealth until May 19, 2023. (Exhibit 7) Additional information was provided to MassHealth. On May 10, 2023, MassHealth responded that all information had been received and the Appellant was approved. (Exhibit 8).

As no issue on the appeal of the December 8, 2022, denial notice for having more countable assets than MassHealth benefits allow pursuant to 130 CMR 520.004 remains in dispute, this matter is DISMISSED pursuant to 130 CMR 610.051(B).

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Patrick Grogan  
Hearing Officer  
Board of Hearings

cc:

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