

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2301901
<b>Decision Date:</b>	09/20/2023	<b>Hearing Date:</b>	04/04/2023
<b>Hearing Officer:</b>	Kimberly Scanlon	<b>Record Open to:</b>	06/16/2023

**Appearance for Appellant:**  
*Via telephone*



**Appearance for MassHealth:**  
*Via telephone*  
Carmen Sola



*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; Long-term care
<b>Decision Date:</b>	09/20/2023	<b>Hearing Date:</b>	04/04/2023
<b>MassHealth's Rep.:</b>	Carmen Sola	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Taunton MassHealth Enrollment Center Room 2 (Remote)	<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 January 9, 2023 denial of the Appellant's long-term care application because MassHealth determined that the Appellant has more countable assets than MassHealth benefits allow. (130 CMR 520.003; 520.004; Exhibit 1). The Appellant timely appealed on March 9, 2023. (130 CMR 610.015(B); Exhibit 2).

Following the hearing, the record was left open until May 2, 2023 for the Appellant to submit documentation showing asset spend-down. The record was also left open until May 9, 2023 for MassHealth to review the submitted documentation. (Exhibit 10). The Appellant subsequently requested to further extend the record open period until June 2, 2023, and until June 16, 2023, both requests were granted. (Exhibit 11, pp. 1-2; Exhibit 13, pp. 1-4). On June 14, 2023, MassHealth responded that it received all spend-down documentation and approved the Appellant's application for long-term care. (Exhibit 13, p. 1).

As no issue on the appeal of the January 9, 2023 denial notice 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.

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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

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