

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2302447
<b>Decision Date:</b>	*07/28/2023	<b>Hearing Date:</b>	04/26/2023
<b>Hearing Officers:</b>	Paul O'Neill (presiding at hearing); Casey Groff (author of appeal decision)	<b>Record Closed:</b>	07/26/2023

\*This reflects the correct date of Decision.

**Appearance for Appellant:**



**Appearance for MassHealth:**

Kathy Boileau, Benefits Eligibility & Referral  
Social Worker, Taunton 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

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Eligibility; LTC; Excess Assets
<b>Decision Date:</b>	*07/28/2023	<b>Hearing Date:</b>	04/26/2023
<b>MassHealth's Rep.:</b>	Kathy Boileau	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Remote	<b>Aid Pending:</b>	No

\*This reflects the correct date of Decision.

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.<sup>1</sup> The issue on appeal is MassHealth's 2/28/23 denial of the Appellant's request for long-term care benefits due to having countable assets that exceeded the allowable limit. See Exh. 1. At Appellant's request, the record was held open for her to obtain and submit verification that she had completed a spend-down of the excess assets. See Exh. 6-7. MassHealth subsequently reported that it received verification of the spend-down and would issue a new eligibility notice persevering Appellant's 1/3/23 application date. See Exh. 8.

As all appeal issues have been resolved in Appellant's favor, this appeal is DISMISSED.<sup>2</sup>

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Casey Groff  
Hearing Officer  
Board of Hearings

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<sup>1</sup> The Hearing Officer who presided over the April 26<sup>th</sup> hearing for this appeal is no longer with the Board of Hearings. Appellant agreed to waive a new hearing and have the new Hearing Officer rely on the record generated from the appeal record to write this decision. See Exh. 9.

<sup>2</sup> Appellant will have new appeal rights to all subsequent eligibility notices.

cc:

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780

