

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2302742
Decision Date:	4/21/2023	Hearing Date:	04/20/2023
Hearing Officer:	Mariah Burns		

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Tambria Pioggia, 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:	Eligibility
Decision Date:	4/21/2023	Hearing Date:	04/20/2023
MassHealth's Rep.:	Tambria Pioggia	Appellant's Rep.:	Pro se
Hearing Location:	Remote	Aid Pending:	No

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The appellant submitted a timely request for fair hearing for a denial notice issued on March 6, 2023, that informed the appellant that she was not eligible for MassHealth due to excess income and assets.

The hearing yielded the following summarized testimony: The appellant was a MassHealth Standard member prior to the COVID-19 pandemic. When she turned [REDACTED] during the pandemic, her coverage was protected pursuant to the federal public health emergency (FHPE), MassHealth Eligibility Operations Memo (EOM) 20-09, and all superseding EOMs. Therefore, she is currently receiving MassHealth Standard benefits in the under 65 system, which will continue until her eligibility is redetermined pursuant to the ending of the FHPE on April 1, 2023 (the MassHealth representative indicated that this would not be until January 2024 for the appellant).

MassHealth also discovered an error in its calculation of the appellant's income and did not take into consideration that the appellant is a seasonal worker. Having amended the appellant's income within their system, MassHealth determined that the appellant is eligible for the MassHealth Senior Buy-In in the over 65 system and she has been active with that coverage since March 3, 2023. Thus, the appellant will remain active on MassHealth Standard and the Senior Buy-In until her next renewal date in January of 2024. At that point, MassHealth will make a new determination of her eligibility and will issue a new notice with separate appeal rights. Because of this, and because the appealed notice has been rescinded by MassHealth, there are no longer any issues on appeal with respect to this notice. The appeal is thereby dismissed.

Mariah Burns
Hearing Officer
Board of Hearings

cc:

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