

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2303656
Decision Date:	6/20/2023	Hearing Date:	06/16/2023
Hearing Officer:	Thomas J. Goode		

Appearance for Appellant:

Pro se

Interpreter:

Language Services

Appearance for MassHealth:

Kimberly Driscoll,
Senior Manager, Health Insurance
Identification and Recovery, MassHealth
Third Party Liability



*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:	Denied	Issue:	Managed Care Disenrollment
Decision Date:	6/20/2023	Hearing Date:	06/16/2023
MassHealth's Rep.:	Kimberly Driscoll	Appellant's Rep.:	Pro se
Hearing Location:	Remote	Aid Pending:	No

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Through a notice dated April 26, 2023, MassHealth notified Appellant that his minor child had been disenrolled from managed care effective April 22, 2023 (130 CMR 508.002 and Exhibit 1). Appellant filed this appeal in a timely manner on May 3, 2023 (130 CMR 610.015(B) and Exhibit 2). Notice of disenrollment from managed care is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified Appellant that his minor child had been disenrolled from managed care effective April 22, 2023.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 508.002 in disenrolling Appellant's minor child from managed care.

Summary of Evidence

The MassHealth representative testified that MassHealth issued notice dated April 26, 2023 informing Appellant that his minor child had been disenrolled from managed care effective April 22, 2023. As a MassHealth Standard member, Appellant's child was enrolled in a managed care plan through Mass General Brigham Healthplan. MassHealth received information confirming that on April 21, 2023, Appellant's child was enrolled in a United Health Care policy. Because Appellant's child has access to other insurance that meets the basic benefit level as determined by MassHealth, pursuant to 130 CMR 508.002, Appellant's child was disenrolled from Mass General Brigham HealthPlan, and remains open on MassHealth Standard as secondary health insurance.¹

Appellant testified that his child was first enrolled in MassHealth when he stopped working for Verizon in 2021. He added that his child's mother enrolled his child in private health insurance available through her husband. He testified that he does not want his child enrolled in the private health insurance and instead wants MassHealth to continue as his child's primary health insurance.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. MassHealth issued notice dated April 26, 2023 informing Appellant that his minor child had been disenrolled from managed care effective April 22, 2023.
2. As a MassHealth Standard member, Appellant's child was enrolled in a managed care plan through Mass General Brigham Healthplan.
3. On April 21, 2023, Appellant's child was enrolled in a United Health Care policy which meets the basic benefit level as determined by MassHealth.
4. On April 22, 2023, Appellant's child was disenrolled from managed care administered by Mass General Brigham HealthPlan, and remains open on MassHealth Standard as secondary health insurance.

¹ Basic-benefit Level (BBL) – benefits provided under a health-insurance plan that include a broad range of medical benefits as defined in the minimum creditable coverage core services requirements in 956 CMR 5.03(1)(a); provided that the sum of the annual deductible and the other annual out-of-pocket expenses required to be paid under that plan does not exceed the maximum amounts described at IRC § 223(c)(2) for high deductible health plans. (130 CMR 501.001)

Analysis and Conclusions of Law

MassHealth members who are younger than 65 years old must enroll in a MassHealth managed care provider available for their coverage type (130 CMR 508.001(A)). As a MassHealth Standard member, Appellant's child was enrolled in a managed care plan through Mass General Brigham Healthplan. However, MassHealth members who have access to other health insurance that meets the basic-benefit level are excluded from participation with a MassHealth managed care provider (130 CMR 508.002(A)(2)). It is undisputed that on April 21, 2023, Appellant's child was enrolled in a United Health Care policy which meets the basic benefit level as determined by MassHealth. Therefore, on April 22, 2023, MassHealth correctly disenrolled Appellant's child from managed care administered by Mass General Brigham HealthPlan.

The appeal is DENIED.

Order for MassHealth

None.

Notification of Your Right to Appeal to Court

If you disagree with this decision, you have the right to appeal to Court in accordance with Chapter 30A of the Massachusetts General Laws. To appeal, you must file a complaint with the Superior Court for the county where you reside, or Suffolk County Superior Court, within 30 days of your receipt of this decision.

Thomas J. Goode
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Kimberly Driscoll, Schraffts Center, 529 Main Street, 3rd Flr., Charlestown, MA 02129, 617-886-8053