

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2304160
<b>Decision Date:</b>	08/03/2023	<b>Hearing Date:</b>	07/25/2023
<b>Hearing Officer:</b>	Marc Tonaszuck		

**Appearance for Appellant:**  
Pro se

**Appearance for MassHealth:**  
Mary Jo Elliott, RN, Optum

**Interpreter:**  
Arabic



*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>	Personal Care Attendant Services
<b>Decision Date:</b>	08/03/2023	<b>Hearing Date:</b>	07/25/2023
<b>MassHealth's Rep.:</b>	Mary Jo Elliott, RN, Optum	<b>Appellant's Rep.:</b>	Pro se
<b>Hearing Location:</b>	Quincy Harbor South	<b>Aid Pending:</b>	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 05/03/2023, MassHealth approved a request from the appellant's personal care attendant (PCA) provider for an extension of PCA hours to give the provider more time to re-evaluate him for a subsequent prior authorization (PA) request for services (see Exhibit 1). The appellant filed this appeal in a timely manner on 05/19/2023 (see 130 CMR 610.015(B) and Exhibit 2).

The appellant has been receiving PCA services through MassHealth for the dates of service from 05/12/2022 to 05/11/2023. On 05/03/2023, the appellant's PCA provider informed MassHealth that it would not be able to complete a new PCA evaluation by the end of the dates of service. Therefore, the provider requested an extension of the current PCA authorization until a new evaluation could be performed and submitted to MassHealth. On 05/03/2023, MassHealth informed the appellant that it approved the PCA provider's request. The appellant appealed MassHealth's decision to approve the PCA provider's request for an extension of time to submit a subsequent PA request.

Whereas at the fair hearing that took place on 07/25/2023, the appellant did not dispute MassHealth's decision to approve the request for an extension of time, and he did not raise any

other grounds for appeal<sup>1</sup> related to the 05/03/2023 MassHealth notice, the Board of Hearings has no jurisdiction over the matter appealed. Accordingly, this appeal is dismissed.

## **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.

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Marc Tonaszuck  
Hearing Officer  
Board of Hearings

cc:

MassHealth Representative: Optum MassHealth LTSS, P.O. Box 159108, Boston, MA 02215

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<sup>1</sup> See 130 CMR 610.032.