

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2304185
Decision Date:	08/07/2023	Hearing Date:	06/27/2023
Hearing Officer:	Mariah Burns		

Appearance for Appellant:

Pro se, 

Appearance for United Healthcare:

Dr. Susan McAllister, MD

Interpreter:



*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:	SCO – Personal Care Attendant Services
Decision Date:	08/07/2023	Hearing Date:	06/27/2023
MassHealth's Rep.:	Dr. Susan McAllister	Appellant's Rep.:	Pro se, PCA
Hearing Location:	Remote	Aid Pending:	Yes

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. During the hearing, the United Healthcare (UHC) representative testified that the appellant joined UHC Senior Care Options in December of 2022. At the time that she joined UHC, the appellant was receiving 35.5 weekly Personal Care Attendant (PCA) hours from MassHealth, and UHC honored those hours. UHC completed their own evaluation of the appellant's needs on January 25, 2023, at which time UHC determined that the appellant required 10.5 PCA hours. However, UHC honored the hours established by MassHealth and allowed the appellant to continue receiving the 35.5 weekly hours.

On April 25, 2023, UHC conducted a second in-home evaluation of the appellant and determined that she no longer required services. However, at hearing, it was reported that the evaluation did not occur in the appellant's native language and was therefore inaccurate. The UHC representative thus reinstated the hours established by their January evaluation, 10.5 weekly hours. She also agreed that the appellant would likely benefit from another evaluation given some recent developments in her health and would make a note that any such appointment would be conducted in Spanish.

Given that UHC will issue a new notice imposing the 10.5 hours with new appeal rights that will allow the appellant to challenge the number of hours, the issue related to the appealed notice is resolved, and this case is thereby dismissed.

Order for United Healthcare

Issue a new notice affording the appellant 10.5 weekly PCA hours with rights to appeal the imposed hours. Allow the appellant to undergo a new PCA evaluation to be conducted in Spanish. Remove Aid Pending.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

Mariah Burns
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: United Healthcare SCO, Attn: Susan Coutinho McAllister, MD, LTC

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