

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2304736
<b>Decision Date:</b>	7/18/2023	<b>Hearing Date:</b>	07/13/2023
<b>Hearing Officer:</b>	Thomas Doyle	<b>Record Open to:</b>	

**Appearance for Appellant:**



**Appearance for MassHealth:**

Linda Phillis, R.N., Associate Director-Appeals  
and Regularity Compliance  
Brad Goodier, B.S.N., R.N., Disability Reviewer  
II (observing)

**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

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	MFP-CL Waiver
<b>Decision Date:</b>	7/18/2023	<b>Hearing Date:</b>	07/13/2023
<b>MassHealth's Rep.:</b>	Linda Phillips, R.N.	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Remote (phone)	<b>Aid Pending:</b>	No

### Procedural Background

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. Appellant appealed the determination she was found not clinically eligible for the MFP-CL Waiver. All parties were contacted via telephone. The hearing convened, recording began, all parties were sworn and appellant's identity was authenticated by having her state her date of birth and the last four numbers of her social security number. Documents 1 through 6 were marked as evidence.

The MassHealth representative testified that appellant had not provided sufficient documentation to determine eligibility for the MFP-CL Waiver. Appellant was notified by letter in March 2023 to return three authorization forms by April 27, 2023. (Ex. 4; Testimony). No forms were returned by appellant. She was denied for the Waiver in the second week of May, 2023 for failure to provide sufficient documentation.

The appeal representative testified that they did provide the documents but admitted it was done after the deadline. The documents were late because appellant's guardian was slow to sign the documents. This hearing officer offered to keep the record open for appellant to provide MassHealth with the documents. The MassHealth representative said the application had been closed and it would be cleaner to file another application with updated authorization documents. The appeal representative was given the option of keeping the record open or withdrawing the appeal and beginning the application process anew. She chose to withdraw the appeal and submit a new application. As the appeal has been withdrawn, it is hereby dismissed. 130 CMR 610.035 (A)(2).

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Thomas Doyle  
Hearing Officer  
Board of Hearings

cc:

MassHealth Representative: Linda Phillips, UMass Medical School - Commonwealth Medicine,  
Disability and Community-Based Services, 333 South Street, Shrewsbury, MA 01545-7807

