

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2304810
Decision Date:	8/14/2023	Hearing Date:	06/26/2023
Hearing Officer:	Kimberly Scanlon	Record Open to:	07/14/2023

Appearance for Appellant:

Via telephone



Appeal Representative

Appearance for MassHealth:

Via telephone

Kristin McMahon



*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 LTC; Over-Asset
Decision Date:	8/14/2023	Hearing Date:	06/26/2023
MassHealth's Rep.:	Kristin McMahon	Appellant's Rep.:	
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 1 (Remote)	Aid Pending:	No

Procedural Background

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The issue on appeal was MassHealth's May 16, 2023 denial of the Appellant's December, 2022 long-term care application because MassHealth determined that the Appellant has more countable assets than MassHealth benefits allow. (130 CMR 520.003; 520.004; Exhibit 1). The Appellant timely appealed on June 10, 2023. (130 CMR 610.015(B); Exhibit 2).

Following the hearing, the record was left open until July 7, 2023 for the Appellant to submit documentation showing excess assets were fully spent-down. The record was also left open until July 19, 2023 for MassHealth to review the submitted documentation. (Exhibit 6). The Appellant requested to further extend the record open period until July 14, 2023, which was granted. (Exhibit 7, pp. 1-2, 5-6). On July 12, 2023, MassHealth responded that it received all spend down verifications and was able to make a subsequent determination, thereby honoring the re-log date of March 8, 2023. (Exhibit 7, p. 1).

As no issue on the appeal of the May 16, 2023 denial notice remains in dispute, this matter is

dismissed pursuant to 130 CMR 610.051(B). Any subsequent notices issued by MassHealth may be separately appealed.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290

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