

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2305549
Decision Date:	09/29/2023	Hearing Date:	08/17/2023
Hearing Officer:	Kimberly Scanlon		

Appearance for Appellant:
Via telephone
Pro se

Appearance for MassHealth:
Via telephone
Donna Burns, R.N.



*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:	PCA Services
Decision Date:	09/29/23	Hearing Date:	08/17/2023
MassHealth's Rep.:	Donna Burns, R.N.	Appellant's Rep.:	<i>Pro se</i>
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 1 (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 June 30, 2023, MassHealth modified the Appellant's prior authorization (PA) request from the requested 10 hours and 30 minutes per week of day/evening personal care attendant (PCA) services to 7 hours and 15 minutes per week of day/evening PCA services. (Exhibit 1). The Appellant filed this appeal in a timely manner on July 6, 2023. (*See*, 130 CMR 610.015(B); Exhibit 2). At the hearing, the parties agreed to the following modifications of the Appellant's request for PCA services for the prior authorization period at issue (June 15, 2023 to June 14, 2024):

1. Grooming/nail care: Denied, Appellant understands and accepts the modification from 10 minutes to 5 minutes per week because she is able to trim and file her fingernails.
2. Grooming/hair: Approved at 2 minutes, once per day, 7 days a week;
3. Meal Preparation (Lunch): Approved at 20 minutes, once per day, 7 days a week;
4. Laundry: Approved at 30 minutes per week.¹;
5. Equipment Maintenance: Denied, the Appellant accepts the denial of 10 minutes per week because she does not have equipment that needs maintenance.

¹ The MassHealth representative explained the time approved is for the Appellant's laundry and not for her spouse's laundry, to which the Appellant agreed.

Because the above-captioned modifications were agreed upon and resolved at the hearing, there are no longer any issues in dispute. Therefore, this appeal is dismissed. (130 CMR 610.035(A)(8)).

Order for MassHealth

If MassHealth has not already done so, make the adjustments agreed to at the hearing, as described above.

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.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

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