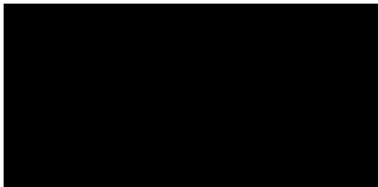


Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2305553
Decision Date:	09/29/2023	Hearing Date:	08/17/2023
Hearing Officer:	Kimberly Scanlon		

Appearance for Appellant:

Via telephone



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:	09/29/2023	Hearing Date:	08/17/2023
MassHealth's Rep.:	Donna Burns, R.N.	Appellant's Rep.:	██████
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 2 (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 9, 2023, MassHealth modified the Appellant's prior authorization (PA) request from the requested 12 hours and 30 minutes per week of daytime personal care attendant (PCA) services and 2 hours per night to 11 hours and 0 minutes per week of daytime PCA services and 2 hours per night¹. (Exhibit 1). The Appellant filed this appeal in a timely manner on June 30, 2023. (See, 130 CMR 610.015(B); Exhibit 4). At the hearing, the Appellant's representative explained that she did not realize that the Appellant's hours were only reduced from 26 ½ hours per week to 25 hours per week. She further explained that she was told by the PCM agency that the Appellant's hours were reduced in half and the requested 2 hours per night was not approved. The Appellant's representative testified that she accepts the modifications because she understands that the requested 2 hours per night was approved.

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

¹ The MassHealth representative testified that beginning on August 27, 2023, the Appellant's PCA nighttime hours (2 hours per night) can be used at any time during the day/evening.

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.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

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