

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2305589
Decision Date:	9/12/2023	Hearing Date:	09/11/2023
Hearing Officer:	Mariah Burns		

Appearance for Appellant:



Appearance for Nursing Facility:

Diane Kresslein



*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:	Nursing Facility Discharge; Failure to Pay
Decision Date:	9/12/2023	Hearing Date:	09/11/2023
Nursing Facility Rep.:	Diane Kresslein	Appellant's Rep.:	[REDACTED]
Hearing Location:	Remote		

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The appellant appealed a notice from July 4, 2023 informing him of the nursing facility's intention to discharge him in 30 days for failure to pay. At hearing, both the appellant's representative, his brother, and the nursing facility representative agreed that the appellant is on medical leave at the hospital and has been for roughly 30 days. It was also made clear that the appellant is currently in the process of applying for MassHealth long-term care benefits. The appellant's representative agreed to withdraw the appeal given that the appellant no longer resides at the nursing facility. After hearing, on the record, the nursing facility representative stated that the nursing facility would rescind the July 4th notice and would issue a new notice at a later date if the parties were unable to resolve the payment issue.

As the notice at issue is rescinded, the appeal has thereby resolved and the case is dismissed.

Order for Nursing Facility

Rescind the July 4, 2023, discharge notice, as agreed on the record.

Mariah Burns
Hearing Officer
Board of Hearings

cc: [REDACTED]