

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2305799
Decision Date:	11/15/2023	Hearing Date:	8/14/2023
Hearing Officer:	Patrick Grogan	Record Open to:	9/22/23

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Jernice Diaz, Taunton

Interpreter:
N/A



*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, Income, Change of Plan, Frail Elder
Decision Date:	11/15/2023	Hearing Date:	8/14/2023
MassHealth's Rep.:	Jernice Diaz	Appellant's Rep.:	Pro se
Hearing Location:	Remote(Tel)	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 June 28, 2023 Notice to the Appellant that due to her income, her plan was changing to Buy-In (SLIMB-Part B). (Exhibit 1; 130 CMR 519.002, 130 CMR 519.010) The Appellant timely appealed on July 17, 2023. (Exhibit 2; 130 CMR 610.015(B).)

At the August 14, 2023 hearing, the record was left open until September 15, 2023, for the Appellant to submit the Frail Elder Assessment, and until September 22, 2023, for MassHealth to review the proffered information to determine the Appellant's eligibility. (Exhibit 5) Additional information was provided to MassHealth. On September 20, 2023, MassHealth responded that that Frail Elder Waiver was sent to MassHealth on 8/31/23 and processed and the Appellant is active under the Frail Elder Waiver for MassHealth Standard effective 8/1/23. (Exhibit 9).

As no issue on the appeal of the June 28, 2023 Notice to the Appellant that due to her income, her plan was changing to Buy-In (SLIMB-Part B) pursuant to 130 CMR 519.002 and 130 CMR 519.010 remains in dispute, this matter is DISMISSED pursuant to 130 CMR 610.051(B).

Patrick Grogan
Hearing Officer
Board of Hearings

cc: MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780, 508-828-4616