

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2305995
<b>Decision Date:</b>	09/28/2023	<b>Hearing Date:</b>	09/05/2023
<b>Hearing Officer:</b>	Kimberly Scanlon	<b>Record Open to:</b>	09/22/2023

**Appearance for Appellant:**  
*Via telephone*



**Appearance for MassHealth:**  
*Via telephone*  
Anna Martinez



*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

<b>Appeal Decision:</b>	Dismissed	<b>Issue:</b>	Eligibility; Long-term care; Over- asset
<b>Decision Date:</b>	09/28/2023	<b>Hearing Date:</b>	09/05/2023
<b>MassHealth's Rep.:</b>	Anna Martinez	<b>Appellant's Rep.:</b>	██████
<b>Hearing Location:</b>	Tewksbury MassHealth Enrollment Center Room 1 (Remote)	<b>Aid Pending:</b>	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 5, 2023 notice of intent to terminate the Appellant's long-term care benefits because MassHealth determined that the Appellant has more countable assets than MassHealth benefits allow. (130 CMR 520.003; Exhibit 1). The Appellant timely appealed on July 21, 2023. (130 CMR 610.015(B); Exhibit 2).

Following the hearing, the record was left open until September 15, 2023 for the Appellant to submit documentation showing the pertinent asset spend-down. The record was also left open until September 22, 2023 for MassHealth to review the submitted documentation. (Exhibit 11). MassHealth subsequently responded that it received all spend-down documentation, and an approval letter was sent to the Appellant on September 13, 2023. (Exhibit 12, p. 1).

As no issue on the appeal of the June 5, 2023 notice remains in dispute, this matter is dismissed pursuant to 130 CMR 610.051(B). Any subsequent denial 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

