

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2307020
Decision Date:	11/28/2023	Hearing Date:	9/20/2023
Hearing Officer:	Patrick Grogan	Record Open to:	10/20/23

Appearance for Appellant:



Appearance for MassHealth:

Elizabeth Landry

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:	Verifications
Decision Date:	11/28/2023	Hearing Date:	9/20/2023
MassHealth's Rep.:	Elizabeth Landry	Appellant's Rep.:	[REDACTED]
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 July 19, 2023, Notice of the denial of the Appellant's MassHealth Long-Term-Care application due to the Appellant not providing information required to decide the Appellant's eligibility within the required timeframe. (Exhibit 1; 130 CMR 515.008) The Appellant timely appealed on August 15, 2023. (Exhibit 2; 130 CMR 610.015(B).)

At the September 20, 2023 hearing, the Appellant, through her Representative, requested time to submit documentation and verifications and for MassHealth to review the submission. The Record was left open for the Appellant until October 6, 2023 for the Appellant to provide documentation and verifications and until October 20, 2023 for MassHealth to review the submissions. (Exhibit 7) Additional information was furnished to MassHealth. On October 11, 2023, MassHealth responded that all information had been received and appeal for verifications was no longer needed.¹ (Exhibit 8).

As no issue on the appeal of the July 19, 2023 Notice of the denial of the Appellant's

¹ MassHealth indicated that the Appellant was over assets and a spenddown was necessary, however the original request date was still open (3/24/23) (Exhibit 8) The Appellant Representative had previously indicated a spenddown had been completed, but recognized it was not part of the instant appeal for missing verifications and would send it separately to MassHealth directly. Subsequent MassHealth actions and notices after July 19, 2023 are not a part of the instant appeal.

MassHealth Long-Term-Care application due to the Appellant not providing information required to decide the Appellant's eligibility within the required timeframe pursuant to 130 CMR 515.008 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