

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2307088
<b>Decision Date:</b>	09/21/2023	<b>Hearing Date:</b>	9/20/2023
<b>Hearing Officer:</b>	Cynthia Kopka		

**Appearance for Appellant:**  
Pro se

**Appearance for MassHealth:**  
Donna Burns, RN



*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>	PCA services
<b>Decision Date:</b>	09/01/2023	<b>Hearing Date:</b>	9/20/2023
<b>MassHealth's Rep.:</b>	Donna Burns, RN	<b>Appellant's Rep.:</b>	Pro se
<b>Hearing Location:</b>	Quincy (Remote)	<b>Aid Pending:</b>	Yes

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The issue on appeal involves MassHealth's modification of Appellant's prior authorization request for Personal Care Attendant (PCA) services (PA No. P232090009) Exhibit 1. At hearing, the parties agreed that MassHealth's partial restoration of the following services resolved the issue in dispute:

- For mobility: 3 minutes, 1 time per day, 7 days per week;
- For hair washing: 5 minutes, 1 time per day, 4 days per week;
- For equipment maintenance: 25 minutes per week; and
- For transportation to medical appointments: 123 minutes per week (restoring 6 additional doctor's visits, 8 additional dentist visits, and a total of 20 visits to physical therapy).

Total day/evening PCA hours per week: 34 hours and 45 minutes.

As there was an adjustment that resolves the issue in dispute between the parties, this appeal is dismissed. 130 CMR 610.035(A)(8), 130 CMR 610.051(B), 130 CMR 610.083(C).

### 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.

### Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

---

Cynthia Kopka  
Hearing Officer  
Board of Hearings

cc:

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