


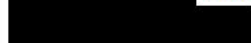
# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2307792
<b>Decision Date:</b>	10/10/2023	<b>Hearing Date:</b>	09/19/2023
<b>Hearing Officer:</b>	Scott Bernard	<b>Record Open to:</b>	10/03/2023

**Appearance for Appellant:**

 via telephone  
 via telephone

**Appearance for MassHealth:**

Shauna Post (Springfield MEC) via telephone  
Lindsey Marek (Springfield MEC)(observing) via telephone


**Interpreter:**

 via telephone



*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>	Community Over 65 Termination
<b>Decision Date:</b>	10/10/2023	<b>Hearing Date:</b>	09/19/2023
<b>MassHealth's Rep.:</b>	Shauna Post; Lindsey Marek	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Springfield MassHealth Enrollment Center	<b>Aid Pending:</b>	No

### Jurisdiction

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. Through a notice dated August 17, 2023, MassHealth informed the appellant that it would terminate her MassHealth benefits by August 31, 2023, because she did not "return the eligibility review form to MassHealth." (See 130 CMR 502.007, 516.006, and Exhibit (Ex.) 1). The appellant filed this appeal in a timely manner on August 30, 2023. (See 130 CMR 610.015(B) and Ex. 2). Any MassHealth agency action to suspend, reduce, terminate, or restrict a member's assistance is valid grounds for appeal. (See 130 CMR 610.032(A)(3)).

At the hearing, it was established that the appellant is an individual over the age of 65, who lives in the community. (Ex. 3). The MassHealth representative stated that the appellant needed to submit a signed eligibility review form with supporting documentation. The MassHealth representative offered to contact the appellant after the hearing to facilitate completion of the form and then send the completed form to the appellant for her signature and for her to return. The appellant and her son stated that this would work well. For that reason, the record was left open until October 20, 2023, to allow the appellant to complete and submit the eligibility review form and supporting documentation. On October 3, 2023, the MassHealth representative informed the hearing officer by email that MassHealth received the requested form and documentation and the appellant's MassHealth benefits had been reinstated retroactively to August 1 so that there was no gap in coverage. (Ex. 5).

MassHealth may make an adjustment in the matters at issue before or during an appeal period.

(130 CMR 610.051(B)). If the parties' adjustment resolves one or more of the issues in dispute in favor of the appellant, the hearing officer, by written order, may dismiss the appeal in accordance with 130 CMR 610.035 as to all resolved issues, noting as the reason for such dismissal that the parties have reached agreement in favor of the appellant. (*Id.*). The appellant submitted the requested eligibility review form with documentation and her MassHealth benefits were reinstated without a gap in coverage. There were no other issues in front of the hearing officer.

For the above stated reasons, the appeal is DISMISSED.

## **Order for MassHealth**

If it has not done so already, MassHealth should issue the appellant a new eligibility notice stating that it has reinstated her MassHealth benefits without a gap in coverage.

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Scott Bernard  
Hearing Officer  
Board of Hearings

cc:

Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104