

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



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|-------------------------|--------------|------------------------|------------|
| Appeal Decision: | Dismissed | Appeal Number: | 2308432 |
| Decision Date: | 10/24/2023 | Hearing Date: | 10/20/2023 |
| Hearing Officer: | Thomas Doyle | Record Open to: | |

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Shauna Post, Springfield MEC

Interpreter:



*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

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|---------------------------|----------------|--------------------------|--|
| Appeal Decision: | Dismissed | Issue: | Verifications; Under 65; Responsibility to Cooperate |
| Decision Date: | 10/24/2023 | Hearing Date: | 10/20/2023 |
| MassHealth's Rep.: | Shauna Post | Appellant's Rep.: | Pro se |
| Hearing Location: | Remote (phone) | Aid Pending: | No |

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Through a notice dated September 5, 2023, MassHealth denied the appellant's request for health coverage because he did not provide the necessary information requested by MassHealth. (Ex 1). The appellant filed this appeal in a timely manner on September 18, 2023. (Ex. 2). MassHealth's determination regarding scope and amount of assistance is valid grounds for appeal. (130 CMR 610.032).

Action Taken by MassHealth

MassHealth was ending coverage because appellant did not provide the information necessary for MassHealth to make a determination.

Issue

The appeal issue is whether MassHealth was correct in determining appellant was not eligible for benefits.

Summary of Evidence

Appellant and the MassHealth worker appeared by telephone and were both sworn. MassHealth was ending MassHealth coverage for appellant because he did not give MassHealth the information MassHealth needed to decide his eligibility. (Ex. 1; Testimony). MassHealth testified appellant had not provided a full bank account statement within 45 days showing all withdrawals, deposits and ending balance, which generated the MassHealth notice of September 5, 2023. The MassHealth worker testified that since the notice was served upon appellant, MassHealth had received the necessary full bank statement.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. MassHealth sent appellant notice on September 5, 2023 informing him he needed to provide more information for MassHealth to decide his eligibility. (Testimony; Ex. 1).
2. Appellant filed an appeal on September 18, 2023. (Ex. 2).
3. After the notice was served upon appellant, the missing information sought by MassHealth was provided by appellant to MassHealth. (Testimony).

Analysis and Conclusions of Law

610.035: Dismissal of a Request for a Hearing

(A) BOH will dismiss a request for a hearing when

...

(8) BOH learns of an adjustment or action that resolves all of the issues in dispute between the parties;

Appellant appealed the MassHealth notice of September 5, 2023. The notice stated that appellant had failed to provide the necessary information to MassHealth, in the form of complete bank statements, for MassHealth to decide appellant's eligibility. At hearing, the MassHealth representative stated that subsequent to the September 5, 2023 notice, appellant had provided the necessary information MassHealth was seeking. (Testimony). As an action has taken place, appellant providing the complete bank statements, resolving the issue in dispute between appellant and MassHealth, this appeal is dismissed.

Order for MassHealth

None.

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.

Thomas Doyle
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104, 413-785-4186