

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2310153
Decision Date:	11/07/2023	Hearing Date:	11/06/2023
Hearing Officer:	Alexis Demirjian		

Appearance for Appellant:



Appearance for MassHealth:

Katina Dean, Transportation Services



*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:	Approved	Issue:	Transportation; COVID-19 Vaccine
Decision Date:	11/07/2023	Hearing Date:	11/06/2023
MassHealth's Rep.:	Dean	Appellant's Rep.:	[REDACTED]
Hearing Location:	Taunton MassHealth Enrollment Center Room 3	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 October 13, 2023, MassHealth denied the appellant's prior authorization request for transportation to Shaw's Pharmacy. Exhibit 1; 130 CMR 407.411. The appellant filed this appeal in a timely manner on October 23, 2023. Exhibit 2; 130 CMR 610.015(B). Denial of assistance is valid grounds for appeal. 130 CMR 610.032.

Action Taken by MassHealth

MassHealth denied the appellant's request for transportation to Shaw's Pharmacy to obtain the COVID-19 vaccine.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 407.411, in denying the appellant's transportation request to Shaw's Pharmacy.

Summary of Evidence

The MassHealth representative testified that a prescription for transportation (“PT-1”) was received from the appellant’s primary care physician. This PT-1 requested transportation to Shaw’s Pharmacy for vaccination administration but did not mark the pull-down menu to indicate that the appellant was traveling to the pharmacy for a COVID-19 vaccination. MassHealth’s representative confirmed that the PT-1 was otherwise complete. Had the provider indicated that the reason for the trip was for the appellant to receive his COVID-19 vaccination, the PT-1 would have been approved.

The appellant was represented at the hearing by his sister who also serves as his guardian. The appellant’s representative testified that the appellant is wheelchair bound and needs transportation to the pharmacy to obtain his COVID-19 vaccination. The appellant’s representative noted that there is an uptick in COVID-19 and that the appellant is medically fragile, and it is imperative that he receives the COVID-19 vaccination. The appellant’s representative noted that vaccinations of this type are not offered in the doctor’s office and that his doctor told him to receive the shot at the pharmacy.

The MassHealth representative was insistent that she could not reverse the decision despite sworn testimony that the transportation was for the appellant to receive the COVID-19 vaccination and the fact that the PT-1 stated that “Pt is going there for vaccination administration.” See Exhibit 4.

Findings of Fact

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

1. On October 13, 2023, MassHealth denied the appellant’s request for transportation to Shaw’s Pharmacy because this is a non-reimbursable service. Exhibit 1.
2. The appellant timely appealed this decision on October 23, 2023. Exhibit 2.
3. The appellant is going to Shaw’s Pharmacy to receive his COVID-19 vaccination. Exhibit 4 and Testimony.

Analysis and Conclusions of Law

Transportation benefits require prior authorization for coverage by MassHealth. See 130 CMR 407.421(A). A prescription for transportation, or PT-1, and a medical necessity form must be submitted on the member’s behalf. 130 CMR 407.421(A)(1).

MassHealth does not provide transportation to pharmacies to obtain medications. See 130 CMR 407.411 (9). Here the appellant is not traveling to the pharmacy to pick up medications, the request was made to allow the appellant to be transported for the administration of a vaccine.

The MassHealth representative confirmed that transportation is covered for individuals to travel to pharmacies to obtain the COVID-19 vaccine and had the appellant's provider ticked that box on the PT-1, it would be approved.

The evidence presented at the hearing establishes that MassHealth has all of the required information in its possession in order to approve the prescription for transportation. See 130 CMR 610.071, 610.082. Therefore, this appeal is APPROVED.

Order for MassHealth

Approve the appellant's PT-1 for transportation to Shaw's Pharmacy so that he is able to obtain his vaccination.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth's Transportation Department. 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.

Alexis Demirjian
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Katina Dean, MAXIMUS - Transportation, 1 Enterprise Drive, Suite 310, Quincy, MA 02169, 800-841-2900