

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved; Dismissed	<b>Appeal Number:</b>	2310581
<b>Decision Date:</b>	12/12/2023	<b>Hearing Date:</b>	11/28/2023
<b>Hearing Officer:</b>	Emily T. Sabo	<b>Record Open to:</b>	12/8/2023

**Appearance for Appellant:**



**Appearance for MassHealth:**

Elizabeth Landry, Taunton MEC



*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>	Approved; Dismissed	<b>Issue:</b>	Eligibility Renewal; Over 65; Long Term Care
<b>Decision Date:</b>	12/12/2023	<b>Hearing Date:</b>	11/28/2023
<b>MassHealth's Rep.:</b>	Elizabeth Landry, Taunton MEC	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Taunton MassHealth Enrollment Center (Telephone)	<b>Aid Pending:</b>	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 13, 2023, MassHealth notified the Appellant that it was terminating his MassHealth coverage because he did not provide MassHealth with requested information (see 130 CMR 515.008 and Exhibit 1). The Appellant filed this appeal in a timely manner on October 30, 2023 (see 130 CMR 610.015(B) and Exhibit 2).

At the hearing, the MassHealth representative testified that the Appellant is over the age of 65 and living in a nursing facility. The MassHealth representative testified that MassHealth was seeking the Appellant's signature and information on two bank accounts. The Appellant's representative verified the Appellant's identity and requested that the record be held open for the Appellant to provide the requested information. The record was held open until December 1, 2023, for the Appellant to provide the requested information. MassHealth was granted until December 8, 2023, to review and respond.

On December 4, 2023, the MassHealth representative reported that MassHealth had received the information from the Appellant and that the Appellant was approved for Long Term Care for the

requested start date of February 9, 2023. Because MassHealth approved Long Term Care for the Appellant on the requested start date, there are no longer any issues in dispute. Therefore, this appeal is dismissed. (130 CMR 610.035(A)(8)).

## **Order for MassHealth**

If MassHealth has not already done so, approve the Appellant for Long Term Care, effective February 9, 2023.

## **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.

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Emily T. Sabo, Esq.  
Hearing Officer  
Board of Hearings

cc:

MassHealth Representative: Justine Ferreria, Taunton MassHealth Enrollment Center, 21 Spring Street, Suite 4, Taunton, MA 02780

[REDACTED]