

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2312833
Decision Date:	02/02/2024	Hearing Date:	01/12/2024
Hearing Officer:	Emily Sabo	Record Open to:	01/26/2024

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Tiffany Castellanos, Charlestown 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

Appeal Decision:	Approved	Issue:	Eligibility; Coverage Date
Decision Date:	02/02/2024	Hearing Date:	01/12/2024
MassHealth's Rep.:	Tiffany Castellanos	Appellant's Rep.:	Pro se
Hearing Location:	Charlestown MassHealth Enrollment Center (Telephone)	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 27, 2023, MassHealth denied the Appellant's minor child's application for MassHealth benefits because MassHealth determined that the Appellant did not provide proof of the child's social security number in the time allowed (see 130 CMR 502.003 and Exhibit 1). The Appellant filed this appeal in a timely manner on December 8, 2023 (see 130 CMR 610.015(B) and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the Appellant's minor child's application for MassHealth benefits because MassHealth determined that the Appellant did not provide proof of the child's social security number in the time allowed.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 502.003, in determining that the Appellant's child was ineligible for MassHealth benefits due to the lack of a social security number.

Summary of Evidence

The MassHealth representative appeared at the hearing telephonically and testified as follows: the Appellant has a child who was born in [REDACTED]. The MassHealth representative testified that MassHealth received proof of the child's Social Security number on October 25, 2023, and verified the social security number. The MassHealth representative testified that the child's coverage was then effective ten days prior, on October 15, 2023, and that the child has ongoing coverage. The MassHealth representative stated that her understanding was that the dispute centered on whether the child was covered between the period of September 17, 2023, until October 15, 2023.

The MassHealth representative testified that in addition to the October 27, 2023, notice that was appealed to the Board of Hearings, MassHealth issued another notice to the Appellant on October 27, 2023, stating that the child's Social Security card was too blurry to verify. The MassHealth representative testified that when she checked the account during the hearing, the child's Social Security card was clear and legible. The MassHealth representative also testified that the [REDACTED] [REDACTED] was listed as the Appellant and her child's authorized representative.

The Appellant testified that in April 2023 she had previously provided her child's social security card as part of the MassHealth application that was submitted through [REDACTED]. The Appellant further testified that she did not know that her child did not have MassHealth coverage between the period of September 17, 2023, until October 15, 2023. The Appellant testified that she did not know why the [REDACTED] [REDACTED] had not submitted proof of her child's social security card.

The record was held open until January 19, 2024, for the Appellant to provide evidence that she had previously provided her child's social security card, and until January 26, 2024, for MassHealth to review and respond. The Appellant provided evidence that she had submitted a copy of the social security card to [REDACTED] on April 26, 2023. The MassHealth representative responded that she could not adjust the coverage date for the Appellant's child based on that information.

Findings of Fact

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

1. The Appellant's child was born in [REDACTED] (Testimony; Exhibit 4 at 1).
2. The Appellant's child had MassHealth coverage from their birth until September 17, 2023 (Testimony; Exhibit 4 at 1).
3. As of October 25, 2023, MassHealth verified the Social Security card and number of the Appellant's child (Testimony).
4. MassHealth found that the Appellant's child was eligible for MassHealth coverage effective October 15, 2023 (Testimony; Exhibit 4 at 1).
5. [REDACTED] was the Appellant and her child's authorized representative (Testimony).
6. The Appellant provided evidence that her child had a valid Social Security number and card, as of 2022, and that this was provided to [REDACTED] on April 26, 2023 (Testimony; Exhibit 5).

Analysis and Conclusions of Law

Under the MassHealth Fair Hearing Rules at 130 CMR 610.071:

The hearing officer may not exclude evidence at the hearing for the reason that it had not been previously submitted to the acting entity, provided that the hearing officer may permit the acting entity representative reasonable time to respond to newly submitted evidence. The effective date of any adjustments to the appellant's eligibility status is the date on which all eligibility conditions were met, regardless of when the supporting evidence was submitted.

130 CMR 610.071(A)(2).

Based on the child's social security card and number that the Appellant submitted to MassHealth prior to the hearing, MassHealth found that the child was eligible for MassHealth. The only remaining issue in dispute is the eligibility of the Appellant's child between September 17, 2023, and October 15, 2023 coverage start date. As provided for in 130 CMR 610.071, the effective date of the Appellant's eligibility is based on when all the eligibility conditions were met, not when the supporting evidence was submitted. The Appellant provided evidence that

the child had a valid social security number and card, as of 2022, and that this was provided to [REDACTED] on April 26, 2023. Accordingly, I find that the Appellant's child was eligible for MassHealth coverage during the September 17, 2023, to October 15, 2023, period. See 130 CMR 502.003; 130 CMR 610.071(A)(2).

Therefore, the appeal is APPROVED, and the Appellant's child is eligible for MassHealth coverage during period September 17, 2023 to October 15, 2023.

Order for MassHealth

Modify the Appellant's child's account to reflect that the child is eligible for MassHealth coverage during the period September 17, 2023 to October 15, 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.

Emily Sabo
Hearing Officer
Board of Hearings

cc: MassHealth Representative: Nga Tran, Charlestown MassHealth Enrollment Center, 529 Main Street, Suite 1M, Charlestown, MA 02129