

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved	<b>Appeal Number:</b>	2313067
<b>Decision Date:</b>	3/7/2024	<b>Hearing Date:</b>	01/11/2024
<b>Hearing Officer:</b>	Kimberly Scanlon		

**Appearance for Appellant:**  
*Via telephone*  
Pro se

**Appearance for MassHealth:**  
*Via telephone*  
Ernetta Finch-Reeves



*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	<b>Issue:</b>	Eligibility; Under 65
<b>Decision Date:</b>	3/7/2024	<b>Hearing Date:</b>	01/11/2024
<b>MassHealth's Rep.:</b>	Ernetta Finch-Reeves	<b>Appellant's Rep.:</b>	Pro se
<b>Hearing Location:</b>	Charlestown MassHealth Enrollment Center - Room 2 (Remote)	<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 November 3, 2023, MassHealth notified the appellant that she was approved for MassHealth Limited coverage with an eligibility start date of September 15, 2023 (Exhibit 1). The notice further stated that the appellant is eligible for Health Safety Net coverage and a ConnectorCare plan through the Health Connector. The appellant filed this appeal in a timely manner on December 11, 2023 (130 CMR 610.015(B); Exhibit 2). The scope of assistance is valid grounds for appeal (130 CMR 610.032).

### Action Taken by MassHealth

MassHealth notified the appellant that she is eligible for MassHealth Limited coverage with a coverage start date of September 15, 2023.

## Issue

The appeal issue is whether MassHealth properly determined the appellant's MassHealth coverage.

## Summary of Evidence

The MassHealth representative and the appellant appeared at the hearing telephonically. The MassHealth representative testified as follows: The appellant is an adult legal permanent resident with no income. Her household consists of four people, including herself and her three minor children. The appellant previously had MassHealth Standard coverage through the Department of Transitional Assistance; that coverage ended in October 2023. On September 15, 2023, the appellant submitted an application to MassHealth. On November 3, 2023, MassHealth notified the appellant that she was approved for MassHealth Limited coverage with a coverage start date of September 15, 2023 (Exhibit 1).<sup>1</sup> The notice also states that the appellant is eligible for Health Safety Net coverage and a ConnectorCare plan through the Health Connector (Exhibit 1).

The appellant testified that she gave birth on September 8, 2023. She seeks MassHealth Standard coverage to cover her postpartum period. The MassHealth representative responded and stated that because the appellant did not notify MassHealth of her pregnancy prior to submitting her MassHealth application, she is not entitled to postpartum coverage. The appellant testified that she in fact *did* call MassHealth prior to submitting her MassHealth application. The appellant explained that she called MassHealth during her pregnancy to inquire whether MassHealth covered prenatal appointments and to explain that her last name had changed. She was told that because her MassHealth benefits were through DTA, she would need to contact DTA. She feels that this phone call satisfies the notice requirement and that she should be entitled to postpartum coverage. She stated that she called MassHealth again after her child was born in September 2023. The MassHealth representative responded and stated that because the appellant had MassHealth coverage through DTA at the time of her phone call, MassHealth could not add the pregnancy to her case.

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<sup>1</sup> The MassHealth representative initially stated that the appellant did not timely submit some requested documentation (an affidavit to attest that she has no income and a noncustodial parent form), but later confirmed that these documents were timely submitted.

## **Findings of Fact**

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

1. The appellant is an adult legal permanent resident with no income.
2. The appellant's household consists of four people, including herself and her three minor children.
3. The appellant previously had MassHealth Standard coverage through the Department of Transitional Assistance; that coverage ended in October 2023.
4. At some point during her pregnancy (before September 8, 2023), the appellant notified MassHealth that she was pregnant.
5. The appellant gave birth on September 8, 2023.
6. On September 15, 2023, the appellant submitted an application to MassHealth.
7. On November 3, 2023, MassHealth notified the appellant that she was approved for MassHealth Limited coverage with a coverage start date of September 15, 2023.

## **Analysis and Conclusions of Law**

The issue in this appeal is whether the appellant is eligible for a MassHealth coverage upgrade. MassHealth contends that it properly determined that the appellant is eligible for MassHealth Limited coverage, while the appellant argues that the birth of her child entitles her to an upgrade to MassHealth Standard coverage to cover her postpartum period. On this record, the appellant has demonstrated that she is entitled to an upgrade.

Effective April 1, 2022, MassHealth extended its postpartum coverage period to provide 12 months of coverage to individuals, regardless of immigration status. This extension of coverage significantly improves access to health care services and provides continuity of care in the period after childbirth. Individuals enrolled in MassHealth CarePlus and Limited may be found eligible for MassHealth Standard provided they meet the eligibility criteria (see Eligibility Operations Memo 22-12, September 2022).

Here, the record confirms that as of the date of her MassHealth application (September 15<sup>th</sup>), the appellant had both reported her pregnancy to MassHealth and had established eligibility for MassHealth Standard coverage (through DTA). She has therefore demonstrated that she qualifies for MassHealth Standard coverage for postpartum care from September 8, 2023

through September 30, 2024.<sup>2</sup>

The appeal is approved.

## **Order for MassHealth**

Rescind notice on appeal and approve for MassHealth Standard benefits from September 8, 2023 through September 30, 2024.

## **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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Kimberly Scanlon  
Hearing Officer  
Board of Hearings

cc:

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

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<sup>2</sup> The application date of September 15, 2023 allows for retroactive coverage to September 8, 2023 (130 CMR 502.006).