

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2400504
Decision Date:	03/26/2024	Hearing Date:	02/02/2024
Hearing Officer:	Thomas Doyle	Record Open to:	2/23/24

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Joseph Barbuzzi, Charlestown 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

Appeal Decision:	Denied	Issue:	Annual Eligibility Renewal; Under 65
Decision Date:	03/26/2024	Hearing Date:	02/02/2024
MassHealth's Rep.:	Joseph Barbuzzi	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 November 19, 2023, MassHealth notified appellant that she does not qualify for MassHealth benefits because she did not complete the annual eligibility renewal within the allotted time. (Ex. 1). MassHealth received appellant's appeal in a timely manner on January 8, 2024. (Ex. 2). Denial of assistance is valid grounds for appeal. (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified appellant that that she is not eligible for MassHealth benefits because she did not complete the annual eligibility renewal within the required time frame.

Issue

Whether MassHealth was correct in denying appellant's application for MassHealth benefits?

Summary of Evidence

The MassHealth worker (worker) and appellant appeared at hearing via phone and were sworn. The worker testified there was missing information needed to make a decision on appellant's

application for benefits. He stated appellant did send in some verifications to MassHealth but did not complete the application. He stated appellant's MassHealth benefit ended on December 3, 2023. The worker stated that while the hearing was taking place, he placed in the mail an envelope with two applications, one for under 65 and one for over 65.

Appellant represented herself. She stated she got a letter from MassHealth and tried to get the application done. She requested an application be sent to her in the mail and she would have her daughter help her complete the application.

At the close of the hearing, the hearing officer agreed to leave the record of this appeal open until February 23, 2024 for the appellant to complete and return a renewal application that was being mailed to her by the worker. (Ex. 5).

On March 1, 2024, this hearing officer emailed the worker to ask if he had received a completed annual renewal application from appellant. He replied he had not. (Ex. 6).

Findings of Fact

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

1. On November 19, 2023, appellant was sent notice that her benefits would be terminated because she did not complete the annual eligibility renewal within the allowed time. (Ex. 1).
2. Appellant previously provided some verifications but did not complete the renewal. (Testimony).
3. MassHealth mailed appellant a renewal application for under 65 and an application for over 65. (Testimony). At the time of the hearing, appellant was under 65. (Ex. 4).
4. The record was held open for appellant to submit a completed renewal application. (Ex. 5).
5. Despite an opportunity to submit the missing information following the appeal hearing, neither the hearing officer nor the MassHealth representative received any documentation from appellant. (Ex. 6).

Analysis and Conclusions of Law

Once an application for MassHealth benefits has been submitted, the MassHealth agency requests all corroborative information necessary to determine eligibility. (130 CMR 516.001). 130 CMR 516.001(B) provides the following with respect to corroborative information:

(1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.

(2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

130 CMR 516.001(C) sets forth the process regarding the receipt of corroborative information, and provides as follows:

If the requested information, with the exception of verification of citizenship, identity, and immigration status, is received within 30 days of the date of the request, the application is considered complete. The MassHealth agency will determine the coverage type providing the most comprehensive medical benefits for which the applicant is eligible. If such information is not received within 30 days of the date of the request, MassHealth benefits may be denied.

515.008: Responsibilities of Applicants and Members

(A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining other health insurance.

In this case, despite being given additional time following the appeal hearing to submit the completed renewal application, appellant did not submit the completed renewal application to MassHealth or the hearing officer in a timely manner. Further, the appellant did not request additional time to submit the missing documentation. Therefore, I find the action taken by MassHealth is within the regulations. (130 CMR 516.001).

Accordingly, this appeal is denied.

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