

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2400716
Decision Date:	3/4/2024	Hearing Date:	02/05/2024
Hearing Officer:	Thomas Doyle	Record Open to:	02/23/2024

Appearance for Appellant:



Appearance for MassHealth:

Faisal Mugimu, 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:	Denied	Issue:	Verification of Eligibility Factors; Under 65
Decision Date:	3/4/2024	Hearing Date:	02/05/2024
MassHealth's Rep.:	Faisal Mugimu	Appellant's Rep.:	
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 January 3, 2024, MassHealth notified appellant that she is not eligible for MassHealth benefits because she did not submit the information it needs to decide her eligibility within the required time frame (Ex. 1). Appellant appealed in a timely manner on January 12, 2024. (Ex. 2). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified appellant that she did not qualify for benefits because she did not submit the information it needs to decide her eligibility within the required time frame.

Issue

The issue is whether MassHealth was correct in denying appellant's application for MassHealth benefits.

Summary of Evidence

The MassHealth worker (worker) and the appeal representative appeared at hearing via phone and were sworn. The appeal representative is the mother of the minor appellant. The worker testified there was missing information needed to make a decision on appellant's application. The worker stated MassHealth denied appellant's application because there was no Social Security number provided for appellant. At hearing, the worker stated the number had been provided. He testified MassHealth still needed proof of income from the mother and father of appellant. The worker testified appellant is still active on the Children's Medical Security Plan. (Testimony).¹

The mother of appellant stated she and her husband own a small business. They have Health Connector for insurance. (Testimony). The worker told the appeal representative she could provide a 1040 tax form and a Schedule C to show proof of income. (Testimony).

At the close of the hearing, the hearing officer agreed to leave the record of this appeal open until February 19, 2024 for the appeal representative to supply MassHealth with copies of the missing information. (Ex. 5). The worker gave the appeal representative a fax number, a post office box and the street address in Taunton of the MassHealth Enrollment Center, to mail the tax forms.

On February 20, 2023, this hearing officer emailed the worker to ask if he had received anything from the appeal representative. He replied he had not. (Ex. 6). Later the same day, this hearing officer emailed the appeal representative and told her the record would remain open until Friday, February 23, 2024 to provide the 1040 tax form and Schedule C. (Ex. 7). This hearing officer did not receive a reply from the appeal representative. On February 29, 2024, this hearing officer again emailed the worker to see if he had received anything from the appeal representative. He replied, "no nothing yet". (Ex. 8). Nothing was received by the hearing officer, or by MassHealth, during the record-open period.

Findings of Fact

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

1. Appellant is a ■■■ year-old female who was sent notice by MassHealth that her Social Security number and proof of income of her parents needed to be submitted to MassHealth. (Ex. 1; Testimony).

¹ Pursuant to 130 CMR 522.004(B), "Children's Medical Security Plan (CMSP):" "CMSP provides coverage to uninsured children younger than 19 years old who do not qualify for any other MassHealth coverage type, other than MassHealth Limited, and who do not have physician and hospital health-care coverage. To apply for these benefits, an applicant must submit an application as described in 130 CMR 502.001: Application for Benefits and 502.002: Reactivating the Application."

2. At the hearing, MassHealth was in possession of appellant's Social Security number. (Testimony).
3. MassHealth needed proof of income from the parents of appellant. (Ex. 1, p. 2; Testimony).
4. Appellant has active benefits through the Children's Medical Security Plan. (Testimony; Ex. 4).
5. The record was left open for the appeal representative to provide tax documents reflecting income to MassHealth. (Ex. 5).
6. The worker provided the appeal representative with a post office box address for MassHealth, a street address for the MassHealth enrollment center in Taunton and a fax number for MassHealth. (Testimony).
6. As of February 20, 2024, the worker had not received any tax documents from the appeal representative. (Ex. 6).
7. On February 20, 2024, the appeal representative was contacted and given until February 23, 2024 to provide the tax documents. (Ex. 7).
8. As of February 29, 2024 the worker had not received any documents from the appeal representative. (Ex. 8).

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.

In this case, despite being given additional time following the appeal hearing to submit the outstanding documentation, the appeal representative did not submit the requested tax documents to MassHealth or the hearing officer in a timely manner. Further, the appellant did not request additional time to submit the missing documentation.

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