

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



CORRECTED ADDRESS

Appeal Decision:	Denied	Appeal Number:	2401055
Decision Date:	04/29/2024	Hearing Date:	02/12/2024
Hearing Officer:	Kimberly Scanlon		

Appearance for Appellant:
Via telephone
Pro se

Appearance for MassHealth:
Via telephone
Amelia Montbleau – Tewksbury 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:	Eligibility; Under 65; Renewal
Decision Date:	04/29/2024	Hearing Date:	02/12/2024
MassHealth's Rep.:	Amelia Montbleau	Appellant's Rep.:	Pro se
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 1 (Remote)	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 30, 2023, MassHealth notified the appellant that his MassHealth Standard benefits were terminating on December 14, 2023 because MassHealth did not receive his renewal application (Exhibit 1). The appellant filed this appeal in a timely manner on January 9, 2024 (130 CMR 610.015(B); Exhibit 2). Termination of assistance is valid grounds for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified the appellant that his benefits were terminating because he did not submit a renewal application.

Issue

The appeal issue is whether MassHealth was correct in notifying the appellant that his benefits were terminating because he did not submit his renewal application.

Summary of Evidence

The MassHealth representative and the appellant appeared at the hearing telephonically and testified as follows:

The appellant is an adult U.S. citizen who resides in a household of 1 with no income and no confirmed disability. He previously received MassHealth Standard coverage as a result of a medically frail upgrade. On October 5, 2023, MassHealth sent the appellant a notice stating that he needed to renew his coverage by submitting a renewal application on or before November 19, 2023. MassHealth did not receive the appellant's renewal application by the due date. On November 30, 2023, MassHealth sent the appellant a termination notice stating that his MassHealth Standard coverage would be terminating on December 14, 2023 (Exhibit 1). As of the date of hearing, MassHealth had not received the renewal application.

The appellant testified through an interpreter and explained that he did not receive the renewal application. He stated that his address recently changed. The MassHealth representative confirmed his updated address and stated that she would mail the appellant another renewal application at his new address, with instructions that the appellant could return the renewal application to MassHealth by mail, in-person, or by fax. She noted that the appellant could also renew his coverage online at MAHealthConnector.org or call and re-apply by telephone at 1-800-841-2900. The appellant asked whether he could receive healthcare prior to submitting his renewal application. The MassHealth representative explained that currently, the appellant is not receiving MassHealth benefits. She stated that once the appellant renews his MassHealth application, if he is determined to remain eligible for benefits, MassHealth will backdate his application by 10 days.

Findings of Fact

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

1. The appellant is an adult U.S. citizen who resides in a household of 1, with no reported income and no verified disability.
2. The appellant recently moved and did not report this address change to MassHealth.
2. On October 5, 2023, MassHealth informed the appellant that he must renew his MassHealth coverage by submitting a renewal application on or before November 19, 2023.
3. The appellant did not submit the renewal application by the due date.

4. On November 30, 2023, MassHealth notified the appellant that his MassHealth Standard coverage was terminating on December 14, 2023 because he did not submit his renewal application.
5. The appellant timely appealed this MassHealth action.

Analysis and Conclusions of Law

The issue in this case is whether MassHealth appropriately determined that the appellant's MassHealth coverage should be terminated because he did not submit his renewal application.

Per 130 CMR 502.007(A), the MassHealth agency reviews eligibility once every 12 months. Eligibility may also be reviewed as a result of a member's change in circumstances, or a change in MassHealth eligibility rules, or as a result of a member's failure to provide verifications within the requested time frames. The MassHealth agency updates eligibility based on information received as a result of such review. The MassHealth agency reviews eligibility

- (1) by information matching with other agencies, health insurance carriers, and information sources;
- (2) through a written update of the member's circumstances on a prescribed form;
- (3) through an update of the member's circumstances in person, by telephone, or on the MAHealthConnector.org account; or
- (4) based on information in the member's case file.

(130 CMR 502.007(A)).

Further, in accordance with 130 CMR 502.007(B), the MassHealth agency determines, as a result of this review, if

- (1) the member continues to be eligible for the current coverage type;
- (2) the member's current circumstances require a change in coverage type, premium payment, or premium assistance payment; or
- (3) the member is no longer eligible for MassHealth.

(130 CMR 502.007(B)).

Here, the appellant does not dispute that he failed to submit his renewal application. He never received the renewal form because he failed to notify MassHealth when he moved. Per 130 CMR 501.010(B), applicants and members must report changes that may affect eligibility within 10 days or as soon as possible. Because the appellant did not comply with this regulatory mandate, his benefits terminated. On this record, I find that the action taken by MassHealth on November 30, 2023 was within the regulations.

The appeal is denied.¹

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.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290

¹ This denial does not preclude the appellant from contacting MassHealth to renew his coverage if he has not already done so. Additionally, this denial does affect the appellant's future appeal rights on subsequent MassHealth notices that he receives should he disagree with such.