

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2402351
Decision Date:	6/7/2024	Hearing Date:	April 22, 2024
Hearing Officer:	Stanley M. Kallianidis	Record-Open Date:	May 22, 2024

Appellant Representative:



MassHealth Representative:

Alexsandra DeJesus, Taunton



*Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, 6th Floor
Quincy, MA 02171*

APPEAL DECISION

Appeal Decision:	Denied	Issue:	Verifications
Decision Date:	6/7/2024	Hearing Date:	April 22, 2024
MassHealth Rep.:	Alexsandra DeJesus	Appellant Rep.:	[REDACTED]

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 February 26, 2024, MassHealth denied the appellant's application for MassHealth benefits because MassHealth determined that the verification process had not yet been completed (see 130 CMR 515.008 and Exhibit 1). The appellant filed this appeal in a timely manner on April 2, 2024 (see 130 CMR 610.015 and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Notice of the hearing was sent to the appellant on April 10, 2024 (Exhibit 3). A prior dismissal of the appeal was vacated after the appellant submitted a copy of the notice being appealed (Exhibit 4).

Action Taken by MassHealth

MassHealth denied the appellant's application for MassHealth benefits.

Issue

Pursuant to 130 CMR 515.008, has the appellant provided MassHealth with the requested verifications necessary for a determination of his eligibility for benefits?

Summary of Evidence

The MassHealth representative testified that the appellant's October 5, 2023 application was denied due to a failure to provide timely verifications (Exhibit 5). A verification request was sent out to the appellant on November 15, 2023 (Exhibit 5). The verifications were not provided, and a Notice of Denial was issued on February 26, 2024 (Exhibit 1). The missing verifications at issue were the appellant's bank statements from April 2023 to the present from two separate accounts (Exhibit 5).

At the hearing, the appellant's representative requested additional time to provide MassHealth with the missing verifications.

The record was left open until May 22, 2024 for the appellant to submit the requested verifications to MassHealth (Exhibit 6).

On May 28, 2024, the MassHealth representative indicated that none of the requested bank statements were submitted during the record-open period (Exhibit 7).

Findings of Fact

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth on October 5, 2023 (Exhibit 5).
2. The appellant's application was denied due to a failure to provide verifications (Exhibit 1).
3. The missing verifications at issue were the appellant's bank statements from April 2023 to the present from two separate accounts (Exhibit 5).
4. The appellant's representative was unable to provide any of the requested verifications at hearing or during the record-open period (Exhibits 6-7).

Analysis and Conclusions of Law

The applicant or member must cooperate with MassHealth in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of the MassHealth program including recovery (130 CMR 515.008(A)). If the requested information is not received, MassHealth benefits may be denied (130 CMR 516.001).

In the instant appeal, I have found that the appellant applied for MassHealth on October 5, 2023. The appellant's application was denied due to his failure to verify bank statements from two separate accounts.

None of the requested verifications were provided at the hearing or during the record-open period.

Based upon the regulation cited above, and where the appellant did not provide the necessary verifications for a determination of eligibility, his application was correctly denied.

The appeal is therefore 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.

Stanley M. Kallianidis
Hearing Officer
Board of Hearings

cc:

Taunton MEC