

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved	<b>Appeal Number:</b>	2406049
<b>Decision Date:</b>	6/12/2024	<b>Hearing Date:</b>	05/22/24
<b>Hearing Officer:</b>	Stanley Kallianidis		

**Appellant Representative:**

Pro Se

**MassHealth Representative:**

Geraldine Eliscard, Charlestown



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

## APPEAL DECISION

<b>Appeal Decision:</b>	Approved	<b>Issue:</b>	Coverage Start Date
<b>Decision Date:</b>	6/12/2024	<b>Hearing Date:</b>	05/22/24
<b>MassHealth Rep.:</b>	Geraldine Eliscard		

### Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

### Jurisdiction

A notice dated February 28, 2024 was sent to the appellant stating that MassHealth approved her request for MassHealth CarePlus benefits with a coverage effective date of February 14, 2024 (see 130 CMR 505.002 and Exhibit 1). The appellant filed this appeal on April 11, 2024 and it is timely (see 130 CMR 610.015 and Exhibit 1).

A dispute over a coverage date is valid grounds for appeal (130 CMR 610.032).

### Action Taken by MassHealth

MassHealth approved the appellant's request for MassHealth CarePlus benefits with a coverage effective date of February 14, 2024.

### Issue

Pursuant to 130 CMR 505.002, was the appellant's coverage date correctly established?

## Summary of Evidence

With regard to the approved start date for MassHealth CarePlus, the MassHealth representative testified that it received the appellant's completed MassHealth application on September 29, 2023 and approved her for CarePlus starting on September 19, 2023. The appellant was sent a request to provide proof of residence in December 2023. Because this was not timely received, the appellant's benefits closed on or about January 25, 2024. The appellant has since provided proof of residence and her case was reinstated on or about February 14, 2024.

The appellant testified that she did her best to provide the documents as requested. She stated that she has a gap in coverage from about January 25, 2024-February 14, 2024. She stated that she incurred medical bills during this period that she feels she should not be responsible for.

## Findings of Fact

The record shows, and I so find:

1. MassHealth received the appellant's completed MassHealth application on September 29, 2023 and approved her for CarePlus starting on September 19, 2023 (testimony).
2. The appellant was sent a request to provide proof of residence in December 2023. Because this was not timely received, the appellant's benefits closed on or about January 25, 2024 (testimony).
3. The appellant has since provided proof of residence and her case was reinstated on or about February 14, 2024 (Exhibit 1).
4. The appellant has a gap in coverage from about January 25, 2024-February 14, 2024 (testimony).

## Analysis and Conclusions of Law

130 CMR 502.006 (A)(2)(a) Coverage Dates: Start Date of Coverage for Applicants. For individuals who submit all required verifications within the 90-day time frame, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 506.006(C).

130 CMR 610.071 (A)(2) provides that the hearing officer may not exclude evidence at the hearing for the reason that it had not been previously submitted to the acting entity, provided that the hearing officer may permit the acting entity representative reasonable time to respond to newly submitted evidence. The effective date of any adjustments to the appellant's eligibility

status is the date on which all eligibility conditions were met, regardless of when the supporting evidence was submitted.

I have found that MassHealth received the appellant's completed MassHealth application on September 29, 2023 and approved her for CarePlus starting on September 19, 2023. Because a request to provide proof of residence this was not timely received, the appellant's benefits closed on or about January 25, 2024. The appellant has since provided proof of residence and her case was reinstated on or about February 14, 2024.

The dispute in this case is that the appellant has a gap in her coverage from about January 25, 2024-February 14, 2024.

In accordance with the regulations cited above, where the appellant has provided all necessary documents to maintain her eligibility for benefits, she is entitled to CarePlus eligibility beginning on September 19, 2023 and continuing to the present with no gap in coverage.

The appeal is therefore approved.

## **Order for MassHealth**

Restore appellant's CarePlus eligibility beginning on September 19, 2023 and continuing to the present with no gap in coverage.

## **Implementation of this Decision**

If this decision is not implemented within 30 days after the date of this notice, you should contact your local office. 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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Stanley Kallianidis  
Hearing Officer  
Board of Hearings

cc: Charlestown MEC

