

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2411381
Decision Date:	08/22/2024	Hearing Date:	August 19, 2024
Hearing Officer:	Stanley M. Kallianidis		

Appellant Representative:

Pro Se

MassHealth Representative:



*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:	08/22/2024	Hearing Date:	August 19, 2024
MassHealth Rep.:	Maria Boisvert	Appellant Rep.:	Pro Se

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 July 1, 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 July 22, 2024 (see 130 CMR 610.015 and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

The appellant was sent notice of the hearing on July 26, 2024 (Exhibit 3).

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 March 7, 2024 application was denied due to a failure to provide timely verifications (Exhibit 1). On March 25, 2024 a verification request was sent out to the appellant with a due date of June 23, 2024 (Exhibit 4). The verifications were not submitted, and a Notice of Denial was issued on July 1, 2024 (Exhibit 1). The missing verifications at issue were with regard to the appellant's pension, bank account, real estate, and vehicle (Exhibit 4).

The appellant testified that he was unable to provide the verifications because he lives in a remote location, and he does not know how to go about obtaining them. He also stated that he should be entitled to benefits without providing any further documentation.

Findings of Fact

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth on March 7, 2024 (Exhibit 4).
2. The appellant's application was denied due to a failure to provide verifications (Exhibit 1).
3. The missing verifications at issue were with regard to the appellant's pension, bank account, real estate, and vehicle (Exhibit 4).
4. The appellant was unable to provide any of the requested verifications at hearing.

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 March 7, 2024. The appellant's application was denied due to his failure to submit information pertaining to his pension, bank account, real estate, and vehicle.

None of the requested verifications were provided at the hearing.

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