

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2412757
Decision Date:	11/6/2024	Hearing Date:	09/17/2024
Hearing Officer:	Kimberly Scanlon		

Appearance for Appellant:
Via telephone
Pro se, with Father

Appearance for MassHealth:
Via telephone
Christine Richelson – Tewksbury 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:	Approved	Issue:	Eligibility; Under 65; Coverage Start Date
Decision Date:	11/6/2024	Hearing Date:	09/17/2024
MassHealth's Rep.:	Christine Richelson	Appellant's Rep.:	Pro se, with Father
Hearing Location:	Tewksbury MassHealth Enrollment Center Room 2 (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 July 18, 2024, MassHealth notified the appellant that she is eligible for MassHealth CarePlus benefits starting on June 30, 2024 (Exhibit 1). The appellant filed this appeal in a timely manner on or about August 15, 2024 (Exhibit 2). A dispute over the scope of assistance is a valid ground for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified the appellant that she was eligible for MassHealth CarePlus benefits starting on June 30, 2024.

Issue

The appeal issue is whether MassHealth was correct in determining a June 30, 2024 coverage start date for the appellant's MassHealth coverage.

Summary of Evidence

The MassHealth representative appeared at the hearing by telephone and testified as follows: The appellant is under the age of 65 and resides in a household of 3 as a tax dependent. On March 8, 2024, the appellant's father, the head of the appellant's household, completed an online renewal application. On or about March 8th, MassHealth sent the appellant's father a request for information asking for proof of income from employment. This request for proof of income was due by June 6, 2024. The appellant did not timely submit proof of income and on June 13, 2024, MassHealth notified the appellant that her coverage would terminate on June 27, 2024. MassHealth sent the notices to the appellant's address on file. On July 10, 2024, MassHealth received W2 forms from the appellant's father. On July 15, 2024, MassHealth received self-employment income from the appellant's father. The MassHealth representative explained that both documents were not acceptable proof of income. On that same date, MassHealth notified the appellant's father that additional information was required to satisfy proof of income. On July 18, 2024, the appellant's father contacted MassHealth and clarified the documents that he previously submitted, which satisfied the outstanding proof of income. On that same date, MassHealth notified the appellant that she is eligible for MassHealth CarePlus benefits starting on June 30, 2024 (Exhibit 1). The MassHealth representative explained that MassHealth used the earlier date of July 10th (the date the father submitted his W2 forms) to arrive at the coverage start date of June 30th, which is ten days prior to the date the father submitted proof of income.

The appellant and her father appeared at the hearing telephonically. Her father testified that the appellant is seeking to have a start date of June 28, 2024 to cover the costs of medical expenses that she incurred on that date. He stated that he did not receive the March 8th request for information and contacted MassHealth when he noticed that the appellant was billed for prescriptions and medical bills that were previously covered by her health insurance. He explained that it took several calls to clarify his income because he is no longer self-employed and MassHealth had him still listed as such.

The appellant testified that she did not receive the June 13th termination notice. She explained that she was in a summer college program during that timeframe and was not aware that her coverage terminated on June 27th. The appellant stated that she scheduled a medical appointment on June 28th and would not have done so had she known that her coverage terminated.¹

Findings of Fact

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

¹ The appellant also explained that she requested to be contacted about a pre-hearing resolution, but that no one contacted her before the hearing. She later learned that MassHealth had her father's contact number on file. Her father stated that he searched his phone records during the timeframe that the pre-hearing resolution was scheduled and did not see any missed calls. It is noted that the telephone number that the appellant provided on her request for a fair hearing is no longer in service (See, Exhibit 2). MassHealth provided the hearing officer with the father's contact number, who was then able to provide the hearing officer with the appellant's correct contact number for this hearing.

1. The appellant is under the age of 65 and resides in a household of 3 as a tax dependent.
2. On March 8, 2024, the appellant's father, as head of household, completed an online MassHealth renewal application.
3. On or about March 8, 2024, MassHealth notified the appellant's father that additional information regarding income was required to process his renewal application, which was due by June 6, 2024. MassHealth did not receive the requested information by the due date.
4. On June 13, 2024, MassHealth notified the appellant that her benefits would terminate on June 27, 2024, for failure to provide the requested information within the time allowed.
5. On July 10th and on July 15th of 2024, MassHealth received documentation from the appellant's father showing proof of income.
6. On or about July 15, 2024, MassHealth notified the appellant's father that the documentation received was not acceptable proof of income and requested additional information.
7. On July 18, 2024, the appellant's father telephonically resolved the outstanding request for additional income information.
8. On July 18, 2024, MassHealth notified the appellant that she was eligible for CarePlus benefits starting on June 30, 2024.
9. MassHealth used the date of July 10th from which to calculate a coverage start date of June 30, 2024.
10. The appellant filed an appeal on August 15, 2024.

Analysis and Conclusions of Law

It is undisputed that the appellant meets all the eligibility requirements for MassHealth CarePlus coverage; at issue is the start date of her coverage. The appellant argues that her coverage should go back to June 28, 2024; MassHealth takes the position that the appellant's coverage should begin ten days prior to the head of household's July 10th submission of proof of income, which is June 30, 2024.

The appellant's opportunity to contest the June 27, 2024 termination of her benefits is tied to a timely appeal of the June 13, 2024 termination notice. Pursuant to 130 CMR 610.015(B)(1), the appellant's August 15, 2024 request for hearing is a timely appeal of MassHealth's June 13, 2024 action. Thus, this MassHealth action is jurisdictionally appropriate for review (130 CMR

610.015(B)(1)). MassHealth conducts periodic eligibility reviews and requests verification of eligibility; failure to respond to this request can result in a termination of benefits (130 CMR 502.007(C)(3)). There is no dispute that verification of eligibility (proof of income) has now been submitted to MassHealth. Per 130 CMR 610.071(A)(2), 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. There is no dispute that the appellant has met the eligibility requirements for MassHealth CarePlus coverage since the date her coverage terminated in June. Therefore, the appellant has demonstrated that her MassHealth CarePlus coverage should be reinstated back to the date of termination (June 27, 2024).

The appeal is approved.

Order for MassHealth

Rescind notice dated July 18, 2024 and adjust the appellant's MassHealth CarePlus coverage start date to June 27, 2024.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, Office of Medicaid, at the address on the first page of this decision.

Kimberly Scanlon
Hearing Officer
Board of Hearings

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