

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2412784
Decision Date:	11/12/2024	Hearing Date:	09/12/2024
Hearing Officer:	Kimberly Scanlon		

Appearance for Appellant:



Appearance for MassHealth:

Via telephone

Simon Poon – Charlestown MEC;

Karishma Raja– Premium Billing



*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:	11/12/2024	Hearing Date:	09/12/2024
MassHealth's Rep.:	Simon Poon	Appellant's Rep.:	
Hearing Location:	Charlestown 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 July 15, 2024, MassHealth notified the appellant that she is eligible for MassHealth CommonHealth benefits starting on July 5, 2024 (Exhibit 1). The appellant filed this appeal in a timely manner on or about August 16, 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 CommonHealth benefits starting on July 5, 2024.

Issue

The appeal issue is whether MassHealth was correct in determining a July 5, 2024 coverage start date for the appellant's MassHealth coverage.

Summary of Evidence

MassHealth was represented at hearing by an eligibility representative and a representative from the Premium Billing Unit – both parties participated by telephone. The record establishes the following facts and chronology: The appellant is a single individual under the age of 65. By way of background, the appellant had previously been on MassHealth CommonHealth with a \$15 monthly premium. The appellant failed to make premium payments for the months of March, April, and May of 2024, totaling \$45.00 (Exhibit 5, p. 13). On June 12, 2024, MassHealth sent the appellant a notice terminating her benefits on June 26, 2024, because of past-due premiums. On or about July 15, 2024, the appellant paid her outstanding premium amounts and was notified that she was approved for MassHealth CommonHealth benefits starting on July 5, 2024, which MassHealth claims is 10 days prior to the date that the appellant satisfied her outstanding premiums (Exhibit 1).¹ Currently, the appellant is up to date with premium payments.

The appellant and her mother appeared at the hearing telephonically. The appellant testified as follows: She had recently moved and notified MassHealth of her address change. The appellant did not initially receive the outstanding premium bills; however, she received the June 12th termination notice on June 24, 2026 – 2 days prior to the date that her benefits were being terminated. Upon receipt of the notice, the appellant contacted MassHealth and learned that her benefits were terminating due to non-payment of premiums. The appellant immediately made a payment on a credit card and was told that her CommonHealth coverage would not terminate as a result. The appellant later learned that payment did not go through on the credit card that she used. She stated that she monitored the credit card transactions to ensure that her payment was processed. The appellant stated that the payment remained pending for several days and then disappeared, for reasons unknown to her. She stated that she contacted MassHealth again and requested a representative to remain on the line with her until she could confirm that her payment was successful. The appellant explained that she requested an appeal to close the gap in her coverage because she incurred substantial medical expenses between June 26 and July 5, 2024. The appellant's mother stated that her daughter is very sick and requires daily medical care. She testified that it became extremely difficult for her daughter to resolve this issue with MassHealth, and she called a Senator for assistance. The appellant stated that \$200.00 was taken out of her social security check and when she contacted Social Security, she was told that the Commonwealth deducted said amount for past due premiums.

The MassHealth and Premium Billing representatives confirmed that neither department has the capability to deduct any money from the appellant's social security income nor did Premium Billing receive a \$200.00 payment at any time from the appellant. Additionally, Premium Billing confirmed that her records show the appellant contacted Premium Billing on June 26 and on July 9, 2024. With respect to the coverage start date, the MassHealth representative testified that MassHealth could go back to July 2nd (10 days prior to the date the appellant paid her outstanding premiums) but could not go back further than that.

¹ The Premium Billing submission indicates that the appellant satisfied her outstanding premiums on July 12, 2024 (Exhibit 5, p. 13).

Findings of Fact

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

1. The appellant is under the age of 65 and resides in a household of 1.
2. On June 12, 2024, MassHealth notified the appellant that her CommonHealth benefits would terminate on June 26, 2024, for failure to pay a \$15.00 premium for the months of March, April and May of 2024, totaling \$45.00.
3. On or about June 26, 2024, the appellant contacted MassHealth/Premium Billing to inquire about the termination notice that she received and attempted to make a \$45.00 payment at that time.
4. On or about July 9, 2024, the appellant contacted MassHealth/Premium Billing to inquire about her benefits.
5. On July 12, 2024, Premium Billing received a \$45.00 payment from the appellant, satisfying her outstanding premiums.
6. On July 15, 2024, MassHealth notified the appellant that she was eligible for CommonHealth benefits starting on July 5, 2024.
7. 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 CommonHealth coverage; at issue is the start date of her coverage. The appellant argues that her coverage should go back to June 26, 2024; MassHealth takes the position that the appellant's coverage should begin ten days prior to the appellant's July 12th payment of outstanding premiums, which is July 2, 2024. The appellant's opportunity to contest the June 26, 2024 termination of her benefits is tied to a timely appeal of the June 12, 2024 termination notice. Pursuant to 130 CMR 610.015(B)(1), the appellant's August 16, 2024 request for hearing is a timely appeal of MassHealth's June 12, 2024 action. Thus, this MassHealth action is jurisdictionally appropriate for review (130 CMR 610.015(B)(1)).

MassHealth may charge a monthly premium to CommonHealth members, and failure to pay the entire amount billed within 60 days of the date of the bill may result in the member's benefits being terminated (130 CMR 506.011(D)). There is no dispute that the appellant satisfied all outstanding premiums. 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 CommonHealth coverage since the date her coverage terminated in June. Therefore, the appellant has demonstrated that her MassHealth CommonHealth coverage should be reinstated back to the date of termination (June 26, 2024).

Order for MassHealth

Rescind notice dated July 15, 2024, and adjust the appellant's MassHealth CommonHealth coverage start date to June 26, 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, at the address on the first page of this decision.

Kimberly Scanlon
Hearing Officer
Board of Hearings

MassHealth Representative: Nga Tran, Charlestown MassHealth Enrollment Center, 529 Main Street, Suite 1M, Charlestown, MA 02129