

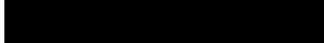
Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2413961
Decision Date:	11/4/2024	Hearing Date:	10/24/2024
Hearing Officer:	Sara E. McGrath, BOH Deputy Director		

Appearances for Appellant:



Appearances for MassHealth:

Asia Brown, Quincy MassHealth



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

APPEAL DECISION

Appeal Decision:	Denied	Issue:	Eligibility; Under 65; Coverage start date
Decision Date:	11/4/2024	Hearing Date:	10/24/2024
MassHealth Rep.:	Asia Brown	Appellant Rep.:	Pro se
Hearing Location:	Board of Hearings (Remote)		

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 June 11, 2024, MassHealth notified the appellant that he is eligible for MassHealth CarePlus benefits starting on June 1, 2024 (Exhibit 1). On September 9, 2024, the appellant filed a request for hearing (Exhibit 1). On September 11, 2024, the Board of Hearings dismissed the appeal because it was not received within the time specified in 130 CMR 610.015 (Exhibit 3). The appellant timely requested that the Board of Hearings vacate the dismissal (Exhibit 3). On September 23, 2024, the Board vacated the dismissal and scheduled a hearing (Exhibits 2 and 3). 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 he is eligible for MassHealth CarePlus benefits starting on June 1, 2024.

Issue

The appeal issue is whether MassHealth was correct in determining a June 1, 2024 coverage start date for the appellant's MassHealth coverage.

Summary of Evidence

The MassHealth representative testified by telephone, in summary, as follows: The appellant had been a MassHealth CarePlus recipient. On December 1, 2023, MassHealth mailed the appellant an annual eligibility renewal that needed to be completed and returned to MassHealth by January 15, 2024 (Exhibit 4). The appellant did not timely return the form, and on January 31, 2024, MassHealth notified the appellant that his coverage would terminate on February 14, 2024 (Exhibit 5). MassHealth mailed the annual eligibility renewal and the termination notice to the appellant's address on file [REDACTED]. On June 11, 2024, the appellant completed his eligibility renewal over the phone. On that same date, MassHealth notified the appellant that he is eligible for MassHealth CarePlus benefits with a coverage start date of June 1, 2024, which is 10 days prior to the completion of the annual eligibility renewal.

The appellant testified by telephone and submitted a letter in support of his appeal (Exhibit 1, p. 7). The appellant explained that he never received the annual eligibility renewal or the termination notice referenced by the MassHealth representative. He stated that he no longer lives at the [REDACTED] address. Two years ago, he moved from [REDACTED] to [REDACTED] but did not notify MassHealth of the move or of his new address. The appellant explained that he had a medical emergency on May 25, 2024 and was taken by ambulance to the hospital. The appellant was alone and suffering from a mental health emergency. He was therefore unable to provide his insurance information. The appellant has received multiple bills related to this medical event and would like his MassHealth coverage start date to be adjusted back to May to cover the bills he incurred.

Findings of Fact

Based on a preponderance of the evidence, I find as follows:

1. The appellant had been a MassHealth CarePlus recipient.
2. On December 1, 2023, MassHealth mailed the appellant an annual eligibility renewal that needed to be completed and returned to MassHealth by January 15, 2024.
3. The appellant did not timely return the form, and on January 31, 2024, MassHealth notified the appellant that his coverage would terminate on February 14, 2024.
4. MassHealth mailed the annual eligibility renewal and the termination notice to the appellant's address on file in [REDACTED]
5. The appellant has not lived at the [REDACTED] address for two years; he moved to [REDACTED] two years ago but did not notify MassHealth of his new address until June 2024.

6. The appellant sought medical treatment on May 25, 2024 and has bills related to that medical event.
7. On June 11, 2024, the appellant completed his eligibility renewal over the phone.
8. On June 11, 2024, MassHealth notified the appellant that he is eligible for MassHealth CarePlus benefits with a coverage start date of June 1, 2024.
9. The appellant has appealed MassHealth's June 11, 2024 determination.

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 his coverage. The appellant argues that his coverage should go back to May 25, 2024; MassHealth takes the position that the appellant's coverage should begin 10 days prior to the submission of the annual eligibility renewal on June 11, 2024, which is June 1, 2024.

The applicable regulations do not provide the appellant with the remedy he seeks. The start date of coverage for MassHealth applicants is governed by 130 CMR 502.006. Pursuant to 130 CMR 502.006(A)(2)(b), 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. Applying this regulation, coverage can only begin ten days prior to June 11, 2024 (the date he completed his annual eligibility renewal) and would not reach back far enough to cover the dates of service at issue.

The appellant's opportunity to contest the February 14th termination of his benefits is tied to a timely appeal of the January 31, 2024 termination notice (130 CMR 610.015(B)(1)). It is undisputed that the appellant did not appeal this termination notice. The appellant explained that he did not receive the termination notice – an assertion that makes sense given that the appellant had long since moved from the address listed on the termination notice. The appellant, however, had a responsibility to report his address change to MassHealth within ten days of the move (130 CMR 501.010(B)). He failed to do so and has not demonstrated that the February termination is jurisdictionally appropriate for review (Exhibit 1; 130 CMR 610.015(B)(1)).

The appellant has not demonstrated that his MassHealth erred in its determination that he is eligible for MassHealth CarePlus coverage with a start date of June 1, 2024.

The appeal is 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.

Sara E. McGrath
Deputy Director
Board of Hearings

cc: Quincy MassHealth Enrollment Center