

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved	<b>Appeal Number:</b>	2415589
<b>Decision Date:</b>	1/13/2025	<b>Hearing Date:</b>	11/06/2024
<b>Hearing Officer:</b>	Marc Tonaszuck	<b>Record Open to:</b>	12/06/2024

**Appearance for Appellant:**



**Appearance for MassHealth:**

Stephanie Mowles



*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

<b>Appeal Decision:</b>	Approved	<b>Issue:</b>	Long Term Care – Verifications
<b>Decision Date:</b>	1/13/2025	<b>Hearing Date:</b>	11/06/2024
<b>MassHealth's Rep.:</b>	Stephanie Mowles	<b>Appellant's Rep.:</b>	
<b>Hearing Location:</b>	Springfield MassHealth Enrollment Center	<b>Aid Pending:</b>	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 09/03/2024, MassHealth informed the appellant that she was not eligible for MassHealth benefits because she failed to provide requested verifications within the time required (130 CMR 515.008; Exhibit 1). A timely appeal was filed on the appellant's behalf by her authorized representative<sup>1</sup> on 10/09/2024 (130 CMR 610.015(B); Exhibit 2). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

A fair hearing took place on 11/05/2024, at which time the appellant representative requested additional time to submit the requested verifications to MassHealth. His request was granted, and the record remained open until 11/22/2024 for the appellant's submission and until 12/06/2024 for MassHealth's response (Exhibits 3 and 5). Both parties made submissions during the record open period (Exhibits 6 and 7).

### Action Taken by MassHealth

MassHealth denied the appellant's application for long term care benefits.

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<sup>1</sup> See Exhibit 4.

## Issue

Did MassHealth correctly deny the appellant's long term care application?

## Summary of Evidence

The MassHealth representative testified telephonically that the appellant initially applied for MassHealth long term care benefits on 02/07/2024, seeking MassHealth benefits beginning on 02/01/2024. That application was denied for failure to provide requested verifications. Some verifications were received by MassHealth on 05/30/2024 and the case was re-stamped with the new application date. A request for information was sent to the appellant on 05/31/2024, seeking the remaining verifications necessary for MassHealth to make an eligibility determination. All verifications were not received by the deadline and the application was denied on 09/03/2024.

The MassHealth representative explained that the verifications listed on the 09/03/2024 denial notice remained outstanding as of the date of the fair hearing.

The appellant was represented at the fair hearing by [REDACTED] a Medicaid application specialist appointed by the appellant's authorized representative. [REDACTED] requested additional time to submit the missing verifications. His request was granted, and the record remained open for his submission until 11/22/2024 and until 12/06/2024 for MassHealth's response (Exhibit 5). The appellant's representative made a submission during the record open period and the MassHealth representative responded that all verifications requested were received.<sup>2</sup>

## Findings of Fact

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

1. The appellant submitted an application for MassHealth long term care benefits on 02/07/2024, seeking 02/01/2024 as a benefit start date.
2. The 02/07/2024 application was denied for a failure to provide missing verifications to MassHealth.
3. On 05/30/2024, some verifications were received by MassHealth, and the case was re-stamped

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<sup>2</sup> In her email, the MassHealth representative wrote that although all the missing verifications were received during the record open period, the submitted documentation gave rise to additional questions and requests for information (Exhibit 7).

with the 05/30/2024 application date.

4. On 05/31/2024, MassHealth sent the appellant a request for verification of various financial information necessary to make an eligibility determination.
5. The requested verifications were not received by MassHealth by the deadline and on 09/03/2024, the appellant's application for long term care benefits was denied by MassHealth.
6. On 10/09/2024, the appellant's authorized representative filed a timely appeal with the Board of Hearings.
7. A fair hearing was held before the Board of Hearings on 11/06/2024.
8. The record was held open in this matter until 11/22/2024 for the appellant's representative to submit the missing verifications and until 12/06/2024 for MassHealth's response.
9. Both parties made submissions during the record open period.
10. On 11/18/2024, the MassHealth representative informed the hearing officer that the requested verifications were received during the record open period.

## **Analysis and Conclusions of Law**

The LTC application date at issue in this 05/30/2024. The appellant is seeking a benefit start date of 02/01/2024. As part of the eligibility process, MassHealth requested verification of certain financial information from the appellant. The requested information was not received by the MassHealth deadline and the LTC application was denied on 09/03/2024.

At the fair hearing on 11/06/2024, the appellant representative requested additional time to submit the requested verifications. The record remained open for the appellant's submission and for MassHealth's response. During the record open period, the appellant's representative made a submission and the MassHealth representative acknowledged that the requested verifications were received by MassHealth during the record open period.

Accordingly, this appeal is approved, as the requested verifications were received by MassHealth during the fair hearing process.

## **Order for MassHealth**

Process the application dated 05/30/2024. If additional information is necessary, MassHealth may request it from the appellant.

## 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, Division of Medical Assistance, at the address on the first page of this decision.

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Marc Tonaszuck  
Hearing Officer  
Board of Hearings

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MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104