

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



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|-------------------------|------------------|-----------------------|------------|
| Appeal Decision: | Denied | Appeal Number: | 2419781 |
| Decision Date: | 3/24/2025 | Hearing Date: | 01/27/2025 |
| Hearing Officer: | Kimberly Scanlon | | |

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Adriel Torres – Quincy 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

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|---------------------------|-----------------------------------|--------------------------|---|
| Appeal Decision: | Denied | Issue: | Eligibility; Under 65; Termination; Over income |
| Decision Date: | 3/24/2025 | Hearing Date: | 01/27/2025 |
| MassHealth's Rep.: | Adriel Torres | Appellant's Rep.: | Pro se |
| Hearing Location: | Quincy Harbor South 6 (Remote) | Aid Pending: | Yes |

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 December 16, 2024, MassHealth notified the appellant that his MassHealth benefits were ending on January 31, 2025, because MassHealth determined that his income is too high. (Exhibit 1). The appellant filed this appeal in a timely manner on December 22, 2024. (130 CMR 610.015(B); Exhibit 2). Reduction and/or termination of assistance is valid grounds for appeal. (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified the appellant that his MassHealth CarePlus coverage was ending on January 31, 2025, because his income is over the allowable limits.

Issue

The appeal issue is whether MassHealth was correct in notifying the appellant that his coverage was ending on January 31, 2025, because his income is over the allowable limits.

Summary of Evidence

The MassHealth representative and the appellant appeared at the hearing telephonically and testified as follows: The appellant is an adult between the ages of [REDACTED] and resides in a household of one. He previously received MassHealth CarePlus benefits based on his household income at that time. On December 16, 2024, the appellant renewed his application and updated his income information.

At the time of his December 16th renewal, the appellant's verified gross monthly income from employment totaled \$5,265.00; this amount equated to 414% of the Federal Poverty Level (FPL) for his household size. In January 2025 the appellant updated his income. Currently, the appellant's gross monthly income from employment amounts to \$3,288.63, which equates to 267% of the FPL. To qualify for MassHealth benefits, the appellant's income must be at or below 133% of the FPL, or \$1,670.00 per month for a household size of 1.¹ On December 16, 2024, MassHealth notified the appellant that his CarePlus benefits were terminating on January 31, 2025 because his income is too high. (Exhibit 1). The appellant is eligible to receive Health Safety Net coverage, and he is eligible for a ConnectorCare plan through the Massachusetts Health Connector.

The appellant confirmed that his income is accurate. He stated that he contacted the Health Connector; however, he missed the open enrollment deadline. He stated that while he understands that his income is over the limit to qualify for MassHealth benefits, he was hoping to retain MassHealth coverage to cover the costs of his prescriptions until he had active insurance through the Health Connector. He explained that he is in group treatment.

Findings of Fact

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

1. The appellant is an adult between the ages of [REDACTED] and lives in a household of one.
2. The appellant was previously eligible for MassHealth CarePlus benefits prior to submitting his renewal and updating his income on December 16, 2024.
3. On or about December 16, 2024, MassHealth notified the appellant that his coverage was terminating on January 31, 2025 due to excess income.
4. At the time of his December 16th renewal, the appellant's verified monthly income from employment totaled \$5,265.81, which is equal to 414% of the FPL for a household of one.

¹ As of March 1, 2025, 133% of the FPL is \$1,735.00 per month. (See, <https://www.mass.gov/doc/2025-masshealth-income-standards-and-federal-poverty-guidelines>).

5. Currently, the appellant's verified monthly income from employment totals \$3,288.63, which is equal to 267% of the FPL for a household of 1.
6. 133% of the FPL limit for a household size of 1 is \$1,670.00 per month.²
7. The appellant is eligible for Health Safety Net coverage.
8. The appellant is eligible for a health care plan through the Health Connector. He has been in contact with the Health Connector but missed the open enrollment deadline.
9. The appellant timely appealed this MassHealth action.

Analysis and Conclusions of Law

The MassHealth coverage types are set forth at 130 CMR 505.001(A), as follows:

(1) MassHealth Standard – for people who are pregnant, children, parents and caretaker relatives, young adults³, disabled individuals, certain persons who are HIV positive, individuals with breast or cervical cancer, independent foster care adolescents, Department of Mental Health (DMH) members, and medically frail as such term is defined in 130 CMR 505.008(F);

(2) MassHealth CommonHealth – for disabled adults, disabled young adults, and disabled children who are not eligible for MassHealth Standard;

(3) MassHealth CarePlus – for adults [REDACTED] years of age who are not eligible for MassHealth Standard;

(4) MassHealth Family Assistance – for children, young adults, certain noncitizens and persons who are HIV positive who are not eligible for MassHealth Standard, MassHealth CommonHealth, or MassHealth CarePlus;

(5) MassHealth Limited – for certain lawfully present immigrants as described in 130 CMR 504.003(A): *Lawfully Present Immigrants*, nonqualified PRUCOLs, and other noncitizens as described in 130 CMR 504.003: *Immigrants*; and

(6) MassHealth Medicare Savings Programs (MSP, also called Senior Buy-in and Buy-in)— for certain Medicare beneficiaries.

² See, "footnote 1," above.

³ "Young adults" are defined at 130 CMR 501.001 as those aged [REDACTED]

The financial standards referred to in 130 CMR 505.000 use MassHealth modified adjusted gross income (MAGI) household or MassHealth Disabled Adult household, as defined in 130 CMR 506.002: *Household Composition*. 130 CMR 505.001(B).

At issue in this case is MassHealth's determination that the appellant is no longer eligible for MassHealth benefits. To establish eligibility for MassHealth benefits, applicants must meet both the categorical and financial requirements. In this case, as an adult between the ages of [REDACTED] the appellant meets the categorical requirements for MassHealth CarePlus.⁴

An applicant is financially eligible for MassHealth Standard and/or CarePlus benefits if "the modified adjusted gross income of the MassHealth MAGI household is less than or equal to 133% of the federal poverty level." (130 CMR 505.002(C)(1)(a); 505.008(A)(2)(c)). To determine financial eligibility, 130 CMR 506.007 requires MassHealth to construct a household for each individual person applying for or renewing coverage. That regulation provides in relevant part as follows:

(1) Taxpayers Not Claimed as a Tax Dependent on His or Her Federal Income Taxes. For an individual who expects to file a tax return for the taxable year in which the initial determination or renewal of eligibility is being made and who is not claimed as a tax dependent by another taxpayer, the household consists of

(a) the taxpayer; including his or her spouse, if the taxpayers are married and filing jointly regardless of whether they are living together;

(b) the taxpayer's spouse, if living with him or her regardless of filing status;

(c) all persons the taxpayer expects to claim as tax dependents; and

(d) if any woman described in 130 CMR 506.002(B)(1)(a) through (c) is pregnant, the number of expected children.

In the present case, the appellant does not dispute that he resides in a household of one.

130 CMR 506.007 describes how an applicant's modified adjusted gross income (MAGI) is calculated. It provides in relevant part, as follows:

(A) Financial eligibility for coverage types that are determined using the MassHealth MAGI household rules and the MassHealth Disabled Adult household rules is determined by comparing the sum of all countable income less deductions for the individual's household as described at

⁴ The record does not include any evidence to suggest that the appellant would be categorically eligible for any other MassHealth coverage type.

130 CMR 506.002 with the applicable income standard for the specific coverage type. In determining monthly income, the MassHealth agency multiplies average weekly income by 4.333. Five percentage points of the current federal poverty level is subtracted from the applicable household total countable income to determine eligibility of the individual under the coverage type with the highest income standard.

(B) The financial eligibility standards for each coverage type may be found in 130 CMR 505.000: *Health Care Reform: MassHealth: Coverage Types*.

(C) The monthly federal-poverty-level income standards are determined according to annual standards published in the *Federal Register* using the following formula. The MassHealth agency adjusts these standards annually.

(1) Divide the annual federal poverty-level income standard as it appears in the *Federal Register* by 12.

(2) Multiply the unrounded monthly income standard by the applicable federal-poverty-level standard.

(3) Round up to the next whole dollar to arrive at the monthly income standards.

The appellant's verified MAGI is \$3,288.63. This amount exceeds 133% of the FPL for a household of one, which is \$1,670.00.⁵ Because the appellant's verified income is over the allowable limit to qualify for MassHealth Standard or CarePlus, I find that the action taken by MassHealth was within the regulations.

This appeal is denied.⁶

Order for MassHealth

If MassHealth has not already done so, remove aid pending.

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.

⁵ See, footnote "1" above.

⁶ The appellant can direct any questions about Health Connector plans to 1-877-MA-ENROLL (1-877-623-6765), or inquiries concerning Health Safety Net to 877-910-2100.

Kimberly Scanlon
Hearing Officer
Board of Hearings

MassHealth Representative: Quincy MEC, Attn: Appeals Coordinator, 100 Hancock Street, 6th Floor, Quincy, MA 02171