

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2500285
Decision Date:	02/07/2025	Hearing Date:	2/3/2025
Hearing Officer:	David Jacobs	Record Open to:	

Appearances for Appellant:



Appearances for MassHealth:

Jasmine Gomez, Tewksbury MEC Worker



*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:	Denied	Issue:	Eligibility; Under 65; Coverage Start Date
Decision Date:	02/07/2025	Hearing Date:	2/3/2025
MassHealth Rep:	Jasmine Gomez	Appellant's Rep.:	██████
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 January 2, 2025, MassHealth notified the appellant that he is eligible for MassHealth Standard with a start date of December 23, 2024 (Exhibit 1). The appellant timely appealed this notice on January 6, 2025 (Exhibit 2). The issue of a benefit start date is valid grounds for appeal (130 CMR 610.032(A)).

Action Taken by MassHealth

MassHealth notified the appellant that he is eligible for MassHealth Standard with a start date of December 23, 2024.

Issue

The appeal issue is whether MassHealth correctly calculated a December 23, 2024 start date?

Summary of Evidence

The MassHealth representative participated telephonically and provided some background information. On January 2, 2025, the appellant submitted an application for MassHealth benefits. On that same date, he was approved for MassHealth Standard with a start date of December 23, 2024 (Exhibit 1).

The appellant appeared telephonically and testified that his problem is not with the notice under appeal. His problem is that there is a gap in coverage from February 2024 to December 2024 when MassHealth cancelled his benefits without notice.

MassHealth explained that the gap in coverage was related to a notice that was sent out on February 23, 2024 which informed the appellant that his MassHealth benefits were terminating because he failed to submit his renewal in the required time frame.

The appellant responded that he did not respond to the February 23, 2024 notice because he has been homeless for the [REDACTED] and the notice was sent to an apartment he no longer resides at. Currently, he receives his mail at a relative's address and updated MassHealth three times of this address change. He did this once in [REDACTED] over the phone, again in [REDACTED] over the phone, and again in person on [REDACTED]. Moreover, he was not even aware that his benefits had been canceled until he attempted to receive medical services in the summer of 2024 and found out he had no health insurance benefits.

MassHealth responded that they had no records of the appellant's attempts over the phone to change his address in September 2023 or April 2024. However, the appellant's address was successfully changed to the relative's address on January 2, 2025.

The appellant argues that because he did not receive proper notice of the February 23, 2024 cancellation of his MassHealth benefits he is entitled to appeal it now and have MassHealth cover the expenses he accrued during the gap in coverage.

Findings of Fact

1. On February 23, 2024, MassHealth sent a notice to the appellant at his address on file; that notice informed the appellant that his MassHealth benefits were terminating because he failed to submit a renewal within the required time frame.
2. The appellant alleges that in [REDACTED], he had become homeless and no longer lived at his former address (where MassHealth sent the February 2024 notice).

3. There is no objective evidence that the appellant notified MassHealth of any address change at any time in 2024.
4. On January 2, 2025, the appellant submitted an application for MassHealth benefits.
5. On January 2, 2025, the appellant was approved for MassHealth Standard with a start date of December 23, 2024.
6. On January 2, 2025, the appellant updated his address to a relative's address where he can receive mail.
7. On January 6, 2025, the appellant appealed the January 2, 2025 notice.

Analysis and Conclusions of Law

It is undisputed that the appellant meets all the eligibility requirements for MassHealth Standard coverage; at issue is the start date of his coverage. The appellant argues that his coverage should go back to February 2024; MassHealth takes the position that the appellant's coverage should begin ten days prior to the application date of January 2, 2025, which is December 23, 2024.

The appellant's opportunity to dispute the February 2024 termination of his benefits is tied to a timely appeal of the February termination notice (130 CMR 610.015(B)(1)). It is undisputed that the appellant did not appeal this termination notice. The appellant stated that he did not receive this notice as he had moved out of his former residence. However, the appellant had a responsibility to report any changes that may affect his eligibility to MassHealth within ten days (130 CMR 501.010(B)). Although the appellant claims he called MassHealth to report an address change, there is no objective evidence to substantiate this claim, and MassHealth does not have a record of any phone call from the appellant. Thus, the appellant has not demonstrated that the February 2024 termination notice is jurisdictionally appropriate for review (130 CMR 610.015(B)(1)).

It is undisputed that the appellant submitted a MassHealth application on January 2, 2025. MassHealth timely processed the application and on January 2, 2025, informed the appellant of his eligibility for MassHealth Standard with a coverage start date of December 23, 2024. Per 130 CMR 502.006, MassHealth determined that the appellant's start date should begin 10 days prior to the date of application. The appellant did not present any evidence to demonstrate that MassHealth's determination was made in error, and I find that MassHealth correctly calculated the appellant's start date.

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.

David Jacobs
Hearing Officer
Board of Hearings

cc: Tewksbury MEC