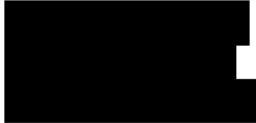


Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2500959
Decision Date:	04/08/2025	Hearing Date:	02/21/2025
Hearing Officer:	Radha Tilva	Record Open to:	02/26/2025

Appearances for Appellant:



Appearances for MassHealth:

Sherianne Paiva, Taunton MEC Rep.
Karishma Raja, Premium Billing Rep.



*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 – start date
Decision Date:	04/08/2025	Hearing Date:	02/21/2025
MassHealth’s Reps.:	Sherianne Paiva and Karishma Raja	Appellant’s Reps.:	
Hearing Location:	Virtual/Telephonic	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 January 7, 2025, MassHealth approved the appellant for MassHealth CommonHealth with an eligibility start date of December 28, 2024 (Exhibit 1). The appellant filed this appeal in a timely manner on January 15, 2025, seeking a retroactive eligibility start date (see 130 CMR 610.015(B) and Exhibit 2). Challenging the scope of eligibility is valid grounds for appeal (see 130 CMR 610.032). The record was held open following the hearing until February 26, 2025.

Action Taken by MassHealth

MassHealth approved appellant for MassHealth CommonHealth benefits with an eligibility start date of December 28, 2024.

Issue

The appeal issue is whether MassHealth was correct in determining that appellant is eligible for MassHealth CommonHealth effective December 28, 2024.

Summary of Evidence

MassHealth was represented by a case worker and Premium Billing specialist who both appeared virtually, along with appellant and his mother who appeared by telephone. The MassHealth case worker explained that appellant has a household size of 1 and is a tax filer, with a gross monthly income of \$2,014.84 placing him at above 133% of the federal poverty level. Based on his income, appellant is eligible for MassHealth CommonHealth with a \$9.00 monthly premium. The Premium Billing specialist testified that appellant's \$9.00 bill for the month of February 2025 is due March 16, 2025.

The MassHealth representative testified that on July 31, 2024, MassHealth mailed a job update form to the appellant, which was due on August 31, 2024. On September 13, 2024, MassHealth issued a termination notice for failure to complete the job update form which was effective September 27, 2024. MassHealth received the job update form on January 7, 2025, and the administrative closure was removed. Appellant was approved effective December 28, 2024 for MassHealth CommonHealth.

Appellant appealed the January 7, 2025, approval notice, seeking an earlier eligibility start date. The appellant stated that he was told at the hospital that he had 90 days to finish his job update form. The appellant stated that he was hospitalized in [REDACTED] and he owes about \$5,000.00 in medical bills. The appellant's mother stated that her son had a mental breakdown from January 3, 2024, through December 14, 2024. He was in crisis, and his mother had no way of getting him to do anything. He was not able to do the job update form as a result. The appellant's mother stated that she had to eventually call 911 to have him hospitalized for 4 days. They were misinformed by the hospital, and so they waited to call MassHealth to complete the job update form. The appellant's mother testified her son had another insurance through his father which covered most of the \$40,000.00 bill, but that the remaining \$5,000.00 was astronomical for them to pay.

The record was left open for the MassHealth representative to speak to her manager to see if they could backdate the coverage. On February 21, 2025, the MassHealth case worker responded that her manager stated that 10 days retroactive date was all that appellant was eligible for (Exhibit 6).

Findings of Fact

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

1. Appellant has a household size of 1 and is a tax filer with a gross monthly income of \$2,014.84, placing him above 133% of the federal poverty level.
2. Based on appellant's income, appellant is eligible for MassHealth CommonHealth with a

\$9.00 monthly premium.

3. On July 31, 2024, MassHealth mailed a job update form to the appellant, which was due on August 31, 2024.
4. On September 13, 2024, MassHealth issued a termination notice to appellant for failure to complete the job update form; the termination was effective September 27, 2024.
5. Appellant was having a mental health crisis at the time of the request for the job update form and at the time of the termination notice.
6. MassHealth received the job update form on January 7, 2025, and appellant was approved effective December 28, 2024 for MassHealth CommonHealth.
7. Appellant is contesting the eligibility start date as he has a large outstanding medical bill from [REDACTED]

Analysis and Conclusions of Law

The issue on appeal is whether MassHealth can provide an earlier eligibility start date for appellant's MassHealth CommonHealth benefits. The appellant was a MassHealth member who was sent a request to complete a job update form on July 31, 2024, due August 31, 2024. The relevant regulation is:

130 CMR 501.010: Responsibilities of Applicants and Members (A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining available health insurance. The MassHealth agency may request corroborative information necessary to maintain eligibility, including obtaining or maintaining available health insurance. The ***applicant or member must supply such information within 30 days of the receipt of the agency's request. If the member does not cooperate, MassHealth benefits may be terminated.***

(Emphasis added). As appellant did not submit the job update form within 30 days, his benefits were terminated effective September 27, 2024. MassHealth sent him notice on September 13, 2024 notifying him of the termination. There was no evidence presented demonstrating that appellant appealed that termination notice.

The appellant eventually submitted the job update form on January 7, 2025 and MassHealth approved CommonHealth benefits effective 10 days retroactive to the receipt date, December 28,

2024. The regulation which refers to the correct eligibility start date is 130 CMR 502.006(A)(2)(d)(2), which states that coverage will begin ten days prior to the date of receipt of all requested verifications or a reported change, except as specified in 130 CMR 502.003(D)(2)(d) and 502.006(C). Thus, MassHealth did not err in determining the CommonHealth eligibility start date of December 28, 2024.

Based on the analysis above, this 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.

Radha Tilva
Hearing Officer
Board of Hearings

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780

MassHealth representative: Premium Billing Department