

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2502006
<b>Decision Date:</b>	6/17/2025	<b>Hearing Date:</b>	05/22/2025
<b>Hearing Officer:</b>	Thomas J. Goode		

**Appearance for Appellant:**  
Pro se

**Appearance for MassHealth:**  
Chantal Centeio, Quincy MEC

**Interpreter:**  
Language Line



*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>	Denied	<b>Issue:</b>	Community Eligibility-under 65-Coveage Start Date
<b>Decision Date:</b>	6/17/2025	<b>Hearing Date:</b>	05/22/2025
<b>MassHealth's Rep.:</b>	Chantal Centeio	<b>Appellant's Rep.:</b>	Pro se
<b>Hearing Location:</b>	Remote	<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 December 5, 2024, MassHealth approved Limited coverage effective November 17, 2024 (130 CMR 505.006, 502.006 and Exhibit 1). Appellant filed this appeal in a timely manner on January 31, 2025 (130 CMR 610.015(B) and Exhibit 2). Appellant failed to appear at a hearing scheduled for March 6, 2025, and the Board of Hearings dismissed the appeal on March 24, 2025. On April 2, 2025, Appellant requested that the Board of Hearings vacate the dismissal, which was allowed on April 8, 2025 (Exhibit 6). Determination of the start date of assistance is valid grounds for appeal (130 CMR 610.032).

### Action Taken by MassHealth

Through a notice dated December 5, 2024, MassHealth approved Limited coverage effective November 17, 2024.

### Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 505.006, 502.006, in determining the November 17, 2024 start date for MassHealth Limited coverage.

## Summary of Evidence

The MassHealth representative testified that Appellant received MassHealth Limited coverage in 2024. MassHealth requested proof of residency on April 18, 2024 which was due back to MassHealth by July 17, 2024 (Exhibit 4). Proof of residency was not returned to MassHealth, and by notice dated July 23, 2024, MassHealth coverage terminated effective August 6, 2024 (Exhibit 5). Neither notice was appealed. Appellant provided proof of residency to MassHealth on November 27, 2024, which was processed on December 5, 2024, and generated eligibility for MassHealth Limited effective November 17, 2024, which is 10 days prior to the receipt of the proof of residency. Appellant was also eligible to enroll in a Connector Care plan.

Appellant testified that she was seen at the emergency department on November 10, 2024 or November 12, 2024 and received a bill for services she thought would be covered by MassHealth. Appellant stated that she never received mail from MassHealth, and when she learned she had no coverage, she called MassHealth and discovered that she needed to submit proof of residency which she did on November 27, 2024.

## Findings of Fact

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

1. Appellant received MassHealth Limited coverage in 2024.
2. There is no evidence of a reported pregnancy.
3. MassHealth requested proof of residency on April 18, 2024 which was due back to MassHealth by July 17, 2024.
4. Proof of residency was not returned to MassHealth, and by notice dated July 23, 2024, MassHealth coverage terminated effective August 6, 2024.
5. Appellant provided proof of residency to MassHealth on November 27, 2024, which was processed on December 5, 2024, and generated eligibility for MassHealth Limited effective November 17, 2024.
6. MassHealth notices were sent to the same address as the notice of hearing which was received by Appellant.

## Analysis and Conclusions of Law

Pursuant to 130 CMR 505.006(D)(1), the medical coverage date for MassHealth Limited is described at 130 CMR 502.006: *Coverage Dates*, except as described at 130 CMR 505.006(D)(2).

### 130 CMR 502.006: Coverage Dates

(A) Start Date of Coverage for Applicants. For individuals applying for coverage, the date of coverage for MassHealth is determined by the coverage type for which the applicant may be eligible. 130 CMR 505.000: *Health Care Reform: MassHealth: Coverage Types* describes the rules for establishing this date, except as specified in 130 CMR 502.003(E)(1), (F)(2), and (H)(2).

(1) The start date of coverage for individuals approved for benefits under provisional eligibility is described at 130 CMR 502.003(E)(1).

(2) The start date of coverage for individuals who do not meet the requirements for provisional eligibility, as described at 130 CMR 502.003(E)(2)(a), is described at 130 CMR 502.006(A)(2)(a) through (d), except individuals described at 130 CMR 502.006(C).

(a) The start date for individuals who are pregnant or younger than 19 years of age who submit all required verifications within the 90-day time frame is described in 130 CMR 502.006(A)(2)(a)1. and 2.

1. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and may be retroactive to the first day of the third calendar month before the month of application except as specified in 130 CMR 502.006(C).

2. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 506.006(C).

(b) For individuals not described in 130 CMR 502.006(A)(2)(a) 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, except as specified in 130 CMR 502.006(C).

(c) For individuals who fail to provide verifications of information within 90 days of the receipt of the MassHealth agency's request and the MassHealth agency used information received from electronic data sources to determine eligibility, the start date of coverage is determined upon the agency's eligibility

determination and coverage begins as described in 130 CMR 502.006(A)(c)1. and 2.

1. For individuals who are pregnant or younger than 19 years of age
    - a. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of information received from electronic data sources and may be retroactive to the first day of the third calendar month before the month of application except as specified in 130 CMR 502.006(C).
    - b. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the information received from electronic data sources and coverage begins ten days prior to the date of application, except as specified in 130 CMR 502.006(C).
  2. For all other individuals, coverage will begin ten days prior to the date of application, except as specified in 130 CMR 502.006(C).
- (d) For individuals denied for failure to provide verification of requested information who then provide requested verifications or report changes after the denial, the start date of coverage is described in 130 CMR 502.006(A)(2)(d)1. and 2.

1. For individuals who are pregnant or younger than 19 years of age
  - a. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and may be retroactive to the first day of the third calendar month before the received date of the verifications, except as specified in 130 CMR 502.006(C).
  - b. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and coverage begins ten days prior to the received date of the verifications, except as specified in 130 CMR 502.006.
- 2. For all other individuals, 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)<sup>1</sup> and 502.006(C)<sup>2</sup>. (emphasis added)**

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<sup>1</sup> 130 CMR 502.003(D) Time Standards. The following time standards apply to the verification of eligibility factors.

(1) The applicant or member has 90 days from the receipt of the Request for Information Notice to provide all requested verifications.

(2) If the applicant or member fails to provide verification of information within 90 days of receipt of the MassHealth agency's request, the MassHealth agency does one of the following.

(a) If the required information is available from electronic data sources, the MassHealth agency

Here, Appellant was receiving MassHealth Limited coverage in 2024. MassHealth requested proof of residency on April 18, 2024, which was due back to MassHealth by July 17, 2024 (Exhibit 4). Proof of residency was not returned to MassHealth, and by notice dated July 23, 2024, MassHealth coverage terminated effective August 6, 2024 (Exhibit 5). Neither notice was appealed. Appellant provided proof of residency to MassHealth on November 27, 2024, which was processed on December 5, 2024, and generated eligibility for MassHealth Limited effective November 17, 2024, which is 10 days prior to the receipt of the proof of residency. There is no evidence of a reported pregnancy. Further, Appellant's testimony that she did not receive notices from MassHealth is not credible. There is no evidence of issues with the mail service to support Appellant's assertion that she did not receive previous notices. All notices were sent to the same address (Exhibits 1, 4, 5). The Board of Hearings sent notice of Appellant's hearing to the same address, and it was received by Appellant. Therefore, the MassHealth determination of a November 17, 2024 start date for MassHealth Limited is correct based on proof of residency submitted to MassHealth on November 27, 2024.

The appeal is DENIED.

## Order for MassHealth

None.

## Notification of Your Right to Appeal to Court

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uses that information to redetermine eligibility.

(b) If the required information is not available from electronic data sources, MassHealth coverage is denied or terminated except for individuals described at 130 CMR 502.001(D)(1) through (4).

(c) If the required verifications are received within one year from the date of the application or renewal form was received, coverage is reinstated to a date 10 days before the receipt of the verifications.

(d) If the required verifications are not received within one year of receipt of the previous application or renewal form, a new application must be completed.

<sup>2</sup> 130 CMR 502.006(C) Limitations. MassHealth coverage start dates are subject to the following limitations. (1) The start date for Medicare premium payments for individuals determined eligible for MassHealth Standard, MassHealth CommonHealth, and MassHealth Medicare Savings Programs is described at 130 CMR 505.002(O), 505.004(L), and 505.007. (2) The start date for Premium Assistance Payments for individuals eligible for MassHealth Standard, MassHealth CommonHealth, MassHealth Family Assistance, and MassHealth CarePlus is described at 130 CMR 506.012(F)(1)(d).

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.

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Thomas J. Goode  
Hearing Officer  
Board of Hearings

Cc:

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