

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	DENIED	<b>Appeal Number:</b>	2502207
<b>Decision Date:</b>	4/23/2025	<b>Hearing Date:</b>	03/04/2025
<b>Hearing Officer:</b>	Kenneth Brodzinski	<b>Record Open to:</b>	04/11/2025

**Appearance for Appellant:**



**Appearance for MassHealth:**

Alexsandra DeJesus



*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>	LTC Verifications
<b>Decision Date:</b>	4/23/2025	<b>Hearing Date:</b>	03/04/2025
<b>MassHealth's Rep.:</b>	Alexsandra DeJesus	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Taunton MEC		

### Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

### Jurisdiction

Through notice dated December 9, 2024, MassHealth denied Appellant's application for MassHealth Long Term Care (LTC) benefits due to her failure to provide MassHealth with requested verifications needed to determine her financial eligibility (Exhibit A). Appellant filed for this appeal in a timely manner on February 3, 2025 (see 130 CMR 610.015(B) and Exhibit A). Denial of MassHealth benefits constitutes valid grounds for appeal (see 130 CMR 610.032).

### Action Taken by MassHealth

MassHealth denied Appellant's application for MassHealth Long Term Care benefits due to her failure to provide MassHealth with requested verifications needed to determine her financial eligibility.

### Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it denied Appellant's application for MassHealth Long Term Care benefits due to her failure to provide MassHealth with requested verifications needed to determine her financial eligibility.

## Summary of Evidence

Both parties appeared by telephone.

The MassHealth representative reviewed dates pertinent to Appellant's LTC application filed in August 2024 including the date that a written verification request was sent to Appellant. The stated due date for the verifications passed with Appellant having failed to file all of the requested documents. The MassHealth representative reviewed the verifications that were still missing.

Appellant's representative did not disagree with the MassHealth representative's testimony and requested an additional month to file the requested verifications. The request was granted. The due date of April 4, 2025, passed with Appellant's failure to file any additional documentation with MassHealth or this Board.

On April 7, 2025, Appellant's representative sent the MassHealth and this Board an email explaining that the family has been uncooperative, and she had not been able to get the requested verifications. Appellant's representative requested more time. The request was denied for not being timely (as the record close date had already passed) and because there was no reason to believe that the family would be cooperative with more time (Exhibit B).

## Findings of Fact

Based on a preponderance of the evidence, this record supports the following findings:

1. Appellant filed an application for LTC benefits in August 2024.
2. MassHealth issued a written verification request to Appellant with a due date.
3. The stated due date for the verifications passed with Appellant having failed to file all of the requested documents.
4. On December 9, 2024, MassHealth denied Appellant's application for MassHealth Long Term Care (LTC) benefits due to her failure to provide MassHealth with requested verifications needed to determine her financial eligibility (Exhibit A).
5. A hearing was held at which Appellant requested and was granted more time to file the verifications.
6. The due date of April 4, 2025, passed with Appellant failing to file any additional documentation with MassHealth or this Board.

## Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity (*Merisme v. Board of Appeals of Motor Vehicle Liability Policies and Bonds*, 27 Mass. App. Ct. 470, 474 (1989)).

Regulation 130 CMR 516.003 in pertinent part states:

*Verification of Eligibility Factors* The MassHealth agency requires verification of eligibility factors including income, assets, residency, citizenship, immigration status, and identity as described in 130 CMR 517.000: MassHealth: Universal Eligibility Requirements, 130 CMR 518.000: MassHealth: Citizenship and Immigration, and 130 CMR 520.000: MassHealth: Financial Eligibility.

(A) *Information Matches.* The MassHealth agency initiates information matches with federal and state agencies and other informational services, as described at 130 CMR 516.004, when an application is received in order to verify eligibility.

(B) *Electronic Data Sources.* If electronic data sources are unable to verify or are not reasonably compatible with the attested information, additional documentation will be required from the individual.

(C) *Request for Information Notice.* If additional documentation is required, including corroborative information as described at 130 CMR 516.001(B), a Request for Information Notice will be sent to the applicant listing all requested verifications and the deadline for submission of the requested verifications.

(D) *Time Standards.* The following time standards apply to the verification of eligibility factors.

(1) *The applicant or member has 30 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 30 days of receipt of the MassHealth agency's request, MassHealth coverage is denied or terminated.*

(3) *A new application is required if a reapplication is not received within 30 days of the date of denial.*

Appellant has simply failed to provide verifications that have been requested multiple times since she filed her application in August 2024. On this record, there is no basis in fact and/or law to disturb MassHealth's denial of December 9, 2024.

## 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.

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Kenneth Brodzinski  
Hearing Officer  
Board of Hearings

cc:

[REDACTED]

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780, 508-828-4616