

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	DENIED	<b>Appeal Number:</b>	2502846
<b>Decision Date:</b>	05/01/2025	<b>Hearing Date:</b>	03/18/2025
<b>Hearing Officer:</b>	Kenneth Brodzinski	<b>Record Open to:</b>	04/18/2025

**Appearance for Appellant:**



**Appearance for MassHealth:**

Wilfred Colon



*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>	05/01/2025	<b>Hearing Date:</b>	03/18/2025
<b>MassHealth's Rep.:</b>	Wilfred Colon	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Tewksbury		

### 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 January 7, 2025, MassHealth denied Appellant's application for MassHealth long Term Care benefits for lack of verifications (see 130 CMR and Exhibit A). Appellant filed this appeal in a timely manner on February 19, 2025 seeking to preserve an application date (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 benefits for lack of verifications.

### Issue

The appeal issue is whether an application date can be preserved in light of a denial for failure to verify.

## **Summary of Evidence**

Both parties appeared by telephone.

The MassHealth representative testified that Appellant's application for Masshealth Long Term Care benefits was denied for failing to provide requested verifications needed to make a financial edibility determination. The MassHealth representative reviewed which verifications were still outstanding.

Appellant requested and was granted a record-open period to file the outstanding verifications. Appellant had until close of business on April 11, 2025 to file all of the missing verifications with MassHealth and the Board. Appellant never requested to have the record-open period extended and the record closed without having filed any of the verifications. Appellant made a late filing on April 14, 2025 to which MassHealth never responded.

## **Findings of Fact**

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

1. Appellant filed an application for MassHealth Long-Term Care benefits.
2. The case was denied for lack of verifications that were due on a written request.
3. Appellant timely appealed the verifications denial.
4. Appellant requested and was granted additional time to file the requested verifications.
5. By the record close date of April 11, 2025, Appellant failed to timely submit any verifications and had not requested additional time to make such a filing.

## **Analysis and Conclusions of Law**

Regulation 130 CMR 516.001(C) provides that MassHealth may request additional information or documentation, if necessary to determine eligibility. The request is generally sent to the applicant within 5 days of receipt of the application and provides 30 days to return the needed documents. Pursuant to 130 CMR 516.001(D), if the verifications are not submitted within 30 days of the date of the request, MassHealth benefits may be denied. Thereafter, if one or more of the documents are submitted within 30 days of the denial, the date of receipt shall be the reapplication date.

At hearing, there was no dispute over the missing verifications. Appellant requested and was granted a record-open period to file the missing verifications. Appellant failed to file any of the missing verifications before the record closed on April 11, 2025.

On this record, there is no basis in fact and/or law to disturb MassHealth's determination. The denial for missing verifications stands. 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.

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Kenneth Brodzinski  
Hearing Officer  
Board of Hearings

cc:

[REDACTED]

[REDACTED]

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290