

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2503633
Decision Date:	6/4/2025	Hearing Date:	04/02/2025
Hearing Officer:	Thomas Doyle	Record Open to:	04/16/25

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Katelyn Costello, Quincy MEC

Interpreter:



*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; Over 65; Senior Application
Decision Date:	6/4/2025	Hearing Date:	04/02/2025
MassHealth's Rep.:	Katelyn Costello	Appellant's Rep.:	Pro se
Hearing Location:	Remote (phone)	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 February 15, 2025, MassHealth notified appellant that he does not qualify for MassHealth benefits because he did not complete the correct application for an individual 65 years old or over. (Ex. 1). Appellant appealed in a timely manner on February 26, 2025. (Ex. 2). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth found appellant does not qualify for MassHealth benefits because he did not submit the correct application for individuals 65 years old or older.

Issue

The issue is whether MassHealth was correct in denying appellant's MassHealth benefits.

Summary of Evidence

The MassHealth worker (worker), appellant and the interpreter appeared at hearing via phone and were sworn. The worker testified appellant [REDACTED] needs to complete a MassHealth senior application. The worker stated appellant could complete the application by phone or complete a paper application.

Appellant testified he had no questions for the worker but if he was sent a paper application he would complete it. The worker said she would mail a paper copy of the senior application to appellant either the day of the hearing or at the latest two days after the hearing and she would also put in an expedited request. The worker stated the information needed by appellant on where to return the senior application is contained within the application. The interpreter informed appellant of this information.

At the close of the hearing, I left the record open until April 16, 2025 for appellant to provide a completed over 65 application that was mailed to him by the worker. (Ex. 5).

After the closing of the record, I emailed the worker to ask if MassHealth had received a completed over 65 application from appellant. The worker replied on April 17, 2025, stating “the senior application was mailed out on 4/4/25.” She wrote I “do not see a received or processed application.” (Ex. 6).

Findings of Fact

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

1. Appellant is a male [REDACTED] (Ex. 4).
2. On February 15, 2025, appellant was sent notice that he did not qualify for MassHealth because he is [REDACTED] and he needed to complete an application for individuals [REDACTED] (Testimony; Ex. 1).
3. At the hearing, the record was held open for appellant to provide a completed [REDACTED] application that the worker was going to mail to appellant. (Ex. 5).
4. Despite an opportunity post hearing to submit a completed [REDACTED] application, appellant did not return a new application. (Ex. 6).

Analysis and Conclusions of Law

The appellant has the burden "to demonstrate the invalidity of the administrative determination." Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228 (2007). Moreover, "[p]roof by a preponderance of the evidence is the standard generally applicable to administrative proceedings." Craven v. State Ethics Comm'n, 390 Mass. 191, 200 (1983).

130 CMR 515.008: 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 other health insurance.

In this case, despite being given additional time following the appeal hearing to submit a completed over ■ application that the worker was mailing to him, MassHealth did not receive a new over ■ application. Further, appellant did not request additional time to submit the missing documentation. Therefore, I find the action taken by MassHealth is within the regulations. (130 CMR 515.008).

Accordingly, 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.

Thomas Doyle
Hearing Officer
Board of Hearings

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