

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2503760
Decision Date:	04/10/2025	Hearing Date:	04/01/2025
Hearing Officer:	Sharon Dehmand	Record Open to:	04/09/2025

Appearance for Appellant:



Appearance for MassHealth:

Katina Dean, Transportation Authorization
Unit

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:	Transportation; Adult Day Health
Decision Date:	04/10/2025	Hearing Date:	04/01/2025
MassHealth's Rep.:	Katina Dean	Appellant's Rep.:	
Hearing Location:	Remote	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 March 3, 2025, MassHealth denied the appellant's prior authorization request for coverage of transportation services. See 130 CMR 407.411(B)(2) and Exhibit 1. The appellant filed this appeal in a timely manner on March 6, 2025. See 130 CMR 610.015(B) and Exhibit 2. Denial of assistance is valid grounds for appeal before the Board of Hearings. See 130 CMR 610.032.

Action Taken by MassHealth

MassHealth denied the appellant's prior authorization request for coverage of transportation services to her adult day health center.

Issue

Whether MassHealth correctly determined that transportation to an adult day health center is not a covered service.

Summary of Evidence

All parties participated telephonically. MassHealth was represented by a worker from the MassHealth Transportation Authorization Unit. The appellant appeared with her son and verified her identity. The following is a summary of the testimony and evidence provided at the hearing:

The MassHealth representative testified that the appellant has been on MassHealth Standard since October 20, 2017. She said that appellant submitted a prior authorization request for coverage of transportation services to her adult day health center. On March 3, 2025, MassHealth denied that request because transportation to adult day health center is not a covered service, and the appellant's adult day health center has not arranged a special contract with MassHealth as required by the regulations. In fact, the MassHealth representative reported that there are no known adult day health centers who have special contracts with MassHealth for coverage of transportation services.

The appellant testified that her primary care physician had submitted a PT-1 request form, which she claimed was approved. She added that he had been receiving transportation since December 2023. In response, the MassHealth representative stated that there was no record of an approved PT-1 and asserted that MassHealth would not approve such a request.

The record was held open until April 8, 2025, for the appellant to provide proof of the approved PT-1. However, the appellant did not provide the requested proof.

Findings of Fact

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

1. The appellant has been on MassHealth Standard since October 20, 2017 and is currently attending an adult day health center. (Testimony and Exhibit 4).
2. MassHealth received a prior authorization request submitted on the appellant's behalf requesting coverage of transportation services to her adult day health center. (Testimony).
3. On March 3, 2025, MassHealth denied that request because transportation to adult day health center is not a covered service. (Testimony and Exhibit 1).
4. The appellant filed a timely notice of appeal on March 6, 2025. (Exhibit 2).
5. There are no adult day health centers in the Commonwealth that currently have special contracts with MassHealth for coverage of transportation services. (Testimony).

Analysis and Conclusions of Law

The MassHealth agency pays for transportation services that meet the requirements of 130 CMR 407.000 only when such services are covered under the member's MassHealth coverage type and only when members are traveling to obtain medical services covered under the member's coverage type. See 130 CMR 407.411(A); 130 CMR 450.105. Transportation services are covered for MassHealth Standard members, subject to the restrictions set forth in 130 CMR 407.000. See 130 CMR 450.105(A)(1)(vv).

Pursuant to 130 CMR 407.411(B), the following transportation services are not covered by MassHealth:

(B) Noncovered Services. The following are examples of transportation services that are not covered by MassHealth:

- (1) transportation to child day-care centers and nurseries;
- (2) transportation of persons who are elderly or disabled to adult day health programs, except when arranged by special contract with the MassHealth Adult Day Health Program;
- (3) transportation to schools, summer camps, and recreational programs (for example, swimming classes);
- (4) transportation of family members to visit a hospitalized or institutionalized member;
- (5) transportation to a medical facility or physician's office for the sole purpose of obtaining a medical recommendation for homemaker/chore services;
- (6) transportation to government-agency offices;
- (7) transportation to visit a child in foster-care placement or in group-care placement;
- (8) transportation to a medical service that is within 0.75 miles of the member's home or other MassHealth agency-approved point of origin, when the member is able to ambulate freely with or without an escort;
- (9) transportation to pharmacies to obtain medications; and
- (10) transportation to obtain computerized axial tomography (CAT) scans at a facility other than one that has been issued a Certificate of Need by the Massachusetts Department of Public Health.

In this case, the appellant is a MassHealth Standard member. As such, she is eligible for coverage of transportation services. See 130 CMR 450.105(A)(1)(vv). However, the appellant's prior authorization request is for transportation services to her adult day health center, which is clearly a noncovered service per regulations. See 130 CMR 407.411(B)(2). Additionally, there is no evidence in the record regarding the existence of a special contract between MassHealth and the appellant's adult day health center. In fact, as MassHealth representative testified, no

such contracts exist at this time. See id.

During the hearing, the appellant claimed that she had an approved PT-1 form authorizing transportation to her adult day health center, but that she needed time to find the form. The record was held open for the appellant to produce the approved PT-1 form. See Exhibit 5. The appellant failed to produce the approved PT-1 form. See Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228 (2007)(appellant has the burden "to demonstrate the invalidity of the administrative determination"). Accordingly, I find that MassHealth correctly determined that transportation to an adult day health center is not a covered service in accordance with the regulations. See 130 CMR 407.411(B)(2).

For the foregoing reasons, 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.

Sharon Dehmand, Esq.
Hearing Officer
Board of Hearings

MassHealth Representative: Katina Dean, MAXIMUS - Transportation, 1 Enterprise Drive, Suite 310, Quincy, MA 02169