

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2503915
<b>Decision Date:</b>	05/20/2025	<b>Hearing Date:</b>	04/07/2025
<b>Hearing Officer:</b>	Emily Sabo	<b>Record Open to:</b>	05/12/2025

**Appearance for Appellant:**



**Appearance for MassHealth:**

Jenny Chan, Quincy MEC



*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>	Long-Term Care; Verifications
<b>Decision Date:</b>	05/20/2025	<b>Hearing Date:</b>	04/07/2025
<b>MassHealth's Rep.:</b>	██████████	<b>Appellant's Rep.:</b>	Rae Anne Gallagher
<b>Hearing Location:</b>	Quincy Harbor South (Telephone)	<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 March 2, 2025, MassHealth denied the Appellant's application for Long-Term Care services because the Appellant did not provide MassHealth with the information necessary to determine her eligibility. 130 CMR 515.008 and Exhibit 1. The Appellant filed this appeal in a timely manner on March 10, 2025. 130 CMR 610.015(B) and Exhibit 2. Denial of assistance is valid grounds for appeal. 130 CMR 610.032.

### Action Taken by MassHealth

MassHealth denied the Appellant's application for Long-Term Care services.

### Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 515.008, when it denied the Appellant's application for Long-Term Care services because the Appellant did not provide MassHealth with the information necessary to determine her eligibility.

### Summary of Evidence

The hearing was held by telephone. The MassHealth representative testified that the Appellant is an adult over the age of 65 and has a household size of one. The MassHealth representative testified that the Appellant initially applied for long-term care on November 6, 2024, and the case was denied for failure to submit verifications on December 26, 2024. The MassHealth representative testified that the Appellant's re-application or "relog" date is January 23, 2025, and that MassHealth denied the application again on March 2, 2025 for failure to submit verifications.

The Appellant's representative verified the Appellant's identity. The Appellant's representative testified that it has been challenging to access the requested information. The record was held open until April 28, 2025, for the Appellant to submit the requested information and until May 12, 2025, for MassHealth to review and respond. Exhibit 6. On May 2, 2025, the MassHealth representative responded that the Appellant had not submitted any verifications. *Id.*

## **Findings of Fact**

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

1. The Appellant is an adult over the age of 65 and has a household size of one. Testimony and Exhibit 4.
2. The Appellant's re-application date for MassHealth long-term care is January 23, 2025. Testimony and Exhibit 5.
3. The Appellant's application was denied by MassHealth on March 2, 2025, for failure to submit requested verifications in the time allowed. Testimony and Exhibit 1.
4. The Appellant filed a timely appeal with the Board of Hearings on March 10, 2025. Exhibit 2.
5. The record was held open until April 28, 2025, for the Appellant and her representative to submit the requested information. Exhibit 6.
6. The MassHealth representative responded that the Appellant had not submitted the missing verifications. Exhibit 6.

## **Analysis and Conclusions of Law**

The MassHealth regulations at 130 CMR 515.008 provide that:

### 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.

(B) Responsibility to Report Changes. The applicant or member must report to the MassHealth agency, within ten days or as soon as possible, changes that may affect eligibility. Such changes include, but are not limited to, income, assets, inheritances, gifts, transfers of and proceeds from the sale of real or personal property, distributions from or transfers into trusts, address, availability of health insurance, immigration status, and third-party liability.

(C) Cooperation with Quality Control. The Quality Control Division periodically conducts an independent review of eligibility factors in a sampling of case files. When a case file is selected for review, the member must cooperate with the representative of Quality Control. Cooperation includes, but is not limited to, a personal interview and the furnishing of requested information. If the member does not cooperate, MassHealth benefits may be terminated.

130 CMR 515.008.

MassHealth denied the Appellant's application for MassHealth long-term care benefits because the Appellant failed to submit the necessary information to determine her eligibility. 130 CMR 515.008(A). During the record open period, the Appellant did not submit the requested information. Exhibit 6. Therefore, the Appellant has not demonstrated that MassHealth erred in denying the Appellant's MassHealth long-term-care application by notice dated March 2, 2025. 130 CMR 515.008(A).

Accordingly, 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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Emily Sabo  
Hearing Officer  
Board of Hearings

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