

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2504920
Decision Date:	05/27/2025	Hearing Date:	04/09/2025
Hearing Officer:	Marc Tonaszuck	Record Open to:	05/16/2025

Appearance for Appellant:




Appearance for MassHealth:

Evelyn Daniel



*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:	Long Term Care – Verifications
Decision Date:	05/27/2025	Hearing Date:	04/09/2025
MassHealth’s Rep.:	Evelyn Daniel	Appellant’s Rep.:	
Hearing Location:	Springfield MassHealth Enrollment Center	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 03/10/2025, MassHealth informed the appellant that it reviewed her application for MassHealth Long Term Care (LTC) benefits determined and that she is not eligible because she failed to submit requested verifications (130 CMR 515.008; Exhibit 1). On 03/26/2025, a timely appeal was filed on the appellant’s behalf (130 CMR 610.015(B); Exhibit 2). MassHealth agency actions to suspend, reduce, terminate, or restrict a member's assistance are valid grounds for appeal (see 130 CMR 610.032).

A fair hearing took place before the Board of Hearings (Board) on 04/09/2025 (Exhibit 3). The appellant representative requested an extension of time to submit the missing verifications. Her request was granted, and the record remained open in this matter until 05/09/2025 for her submission and until 05/16/2025 for MassHealth’s response (Exhibit 5).

The appellant made no submission to the hearing record during the record open period. MassHealth also made no submission during the record open period.

Action Taken by MassHealth

MassHealth denied the appellant's application for Long Term Care (LTC) benefits for failure to submit requested verifications.

Issue

The issue is whether or not the requested verifications were submitted to MassHealth.

Summary of Evidence

The MassHealth representative testified telephonically that the appellant submitted an application for MassHealth long term care (LTC) benefits on 01/25/2025, seeking MassHealth LTC benefits starting on 01/23/2025. As part of the eligibility process, on 02/03/2025 MassHealth sent to the appellant a request for information (VC-1), seeking verifications due on 03/05/2025. The verifications were not received by the due date, and the denial notice was issued on 03/10/2025. As of the date of the fair hearing, the following verifications remained outstanding:

- Appellant's spouse's income
- Appellant's spouse's assets, and
- information about where his income is deposited.

(Exhibit 4.)

The appellant's representative appeared at the fair hearing and testified telephonically. She testified that she needed additional time to provide the missing verifications. Her request was granted, and the record remained open for the appellant's submission until 05/09/2025 and for MassHealth's response until 05/16/2025 (Exhibit 5.)

Neither the appellant nor MassHealth made submissions to the hearing record during the record open period.

Findings of Fact

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

1. The appellant applied for MassHealth long term care (LTC) benefits on 01/25/2025, seeking benefits starting on 01/23/2025.
2. On 02/03/2025, MassHealth sent to the appellant a request for information (VC-1), seeking information necessary to make an eligibility determination. The verifications were due by

03/05/2025.

3. On 03/10/2025, MassHealth denied the appellant's application for benefits because it did not receive the requested verifications.
4. The appellant submitted a request for a fair hearing on 03/26/2025.
5. A fair hearing took place before the Board of Hearings on 04/09/2025.
6. As of the date of the fair hearing, the appellant did not provide the following verifications:
 - Appellant's spouse's income
 - Appellant's spouse's assets, and
 - information about where his income is deposited.
7. At the fair hearing, the appellant's representative requested additional time to provide the missing verifications. Her request was granted, and the record remained open in this matter until 05/09/2025 for the appellant's submission and until 05/16/2025 for MassHealth's' response.
8. The appellant made no submission to the hearing record during the record open period.
9. MassHealth made no submission to the hearing record during the record open period.

Analysis and Conclusions of Law

MassHealth regulations at 130 CMR 515.008 address responsibilities of applicants and members as follows:

(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.

Regulations at 130 CMR 516.001(B) address corroborative information as follows:

The MassHealth agency requests all corroborative information necessary to determine eligibility.

- (1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.

(2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

This appeal involves a denial of MassHealth LTC benefits based on the appellant's failure to provide requested verifications within the regulatory time frame. The application was submitted on 01/25/2025, seeking MassHealth benefits starting on 01/23/2025. On 02/03/2025, MassHealth sent a request for verifications to the appellant, requesting certain documents and information to establish eligibility for LTC benefits. The submission was due by 03/05/2025. The appellant failed to provide all of the requested information, and on 03/10/2025, MassHealth denied the appellant's application for failure to provide verifications. A timely appeal was filed on behalf of the appellant and a fair hearing was held before the Board of Hearings.

At the fair hearing, the appellant's representative requested additional time to provide the missing verifications. Her request was granted; however, the appellant provided nothing during the record open period.

The requested verifications were not received by the Board. As a result, pursuant to the above regulations, MassHealth's denial of the appellant's application is supported by the facts in the record. This appeal is therefore 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.

Marc Tonaszuck
Hearing Officer
Board of Hearings



MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88
Industry Avenue, Springfield, MA 01104