

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	DENIED	<b>Appeal Number:</b>	2504930
<b>Decision Date:</b>	6/20/2025	<b>Hearing Date:</b>	05/01/2025
<b>Hearing Officer:</b>	Kenneth Brodzinski		

**Appearance for Appellant:**

Pro se

**Appearance for MassHealth:**

Alana Murray



*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>	Eligibility Start Date
<b>Decision Date:</b>	6/20/2025	<b>Hearing Date:</b>	05/01/2025
<b>MassHealth's Rep.:</b>	Alana Murray	<b>Appellant's Rep.:</b>	Pro se
<b>Hearing Location:</b>	Springfield MEC		

### 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 March 3, 2025, MassHealth approved Appellant for MassHealth CarePlus benefits effective February 3, 2025 (see 130 CMR and Exhibit A). Appellant filed this appeal in a timely manner on March 26, 2025 seeking an earlier start date (see 130 CMR 610.015(B) and Exhibit A). Determination of a start date constitutes valid grounds for appeal (see 130 CMR 610.032).

### Action Taken by MassHealth

MassHealth approved Appellant for MassHealth CarePlus benefits effective February 3, 2025.

### Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it started Appellant's MassHealth CarePlus benefits on February 3, 2025.

## Summary of Evidence

The MassHealth representative testified that Appellant filed an on-line community application on April 6, 2024. Masshealth sent a request for verification of residency. Appellant did not file the proof of residency by the due date and the application date was lost. Appellant did not file the verification until February 13, 2025. MassHealth approved coverage for CarePlus and set the start date at February 3, 2025, which is ten days prior to the date the missing verification was finally filed.

Appellant is seeking a start date back to her date of application in April 2024. Appellant testified that she signed the proof of residency in 2024 but acknowledged that she did not file it until February 2025. Appellant asserted that she has a learning disability. Appellant also asserted that she had been caring for her father who had multiple heart surgeries. Appellant also asserted that she was not able to upload the proof of residency through the on-line portal and received inadequate help from MassHealth when she repeatedly tried to do so. Appellant testified that she finally filed the proof when she was able to upload it through the portal.

## Findings of Fact

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

1. Appellant filed an on-line community application on April 6, 2024.
2. MassHealth sent a request for verification of residency to Appellant.
3. Appellant received the request for verification of residency.
4. Appellant did not file the proof of residency by the due date and the application date was lost.
5. Appellant ultimately filed the proof of residency on February 13, 2025.
6. MassHealth approved coverage for CarePlus with a start date at February 3, 2025.

## Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity (*Merisme v. Board of Appeals of Motor Vehicle Liability Policies and Bonds*, 27 Mass. App. Ct. 470, 474 (1989)).

Regulations governing determination of the coverage start date for CarePlus are as follows:

(E) MassHealth CarePlus Coverage Begin Date.

1. The MassHealth CarePlus coverage start date is described at 130 CMR 502.006: *Coverage Dates*, except as described at 130 CMR 505.008(E)(2).
2. Provisional eligibility is described in 130 CMR 502.003(E): *Provisional Eligibility*.

130 CMR 502.006(A)(2)(d) states: (emphasis and bracketed qualifications supplied):

***For individuals denied for failure to provide verification of requested information who then provide requested verifications or report changes after the denial, the start date of coverage is described in 130 CMR 502.006(A)(2)(d)1. and 2.***

1. For individuals who are pregnant or younger than 19 years old
  - a. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and may be retroactive to the first day of the third calendar month before the received date of the verifications, except as specified in 130 CMR 502.006(C).
  - b. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and coverage begins ten days prior to the received date of the verifications, except as specified in 130 CMR 502.006.
2. ***For all other individuals, coverage will begin ten days prior to the date of receipt of all requested verifications or a reported change,*** except as specified in 130 CMR 502.003(D)(2)(d) [concerning the need to file a new application if missing verification are filed more than a year after filing the application or renewal form] and 502.006(C) [concerning the start date for Medicare Premiums and Premium Assistance payments after missing verifications are filed].

This matter does not involve provisional coverage or a member who was pregnant; therefore 130 CMR 502.006(A)(2)(d)(2) applies. Neither of the two exceptions concerning Medicare premiums or Premium Assistance payments is at issue. Accordingly, Appellant's benefits were to start ten days prior to February 13, 2025, the day Appellant provided MassHealth with her proof of residency. This date would be February 3, 2025, the date MassHealth granted.

The assertions made by Appellant during hearing were entirely self-serving and were not corroborated in any way. Additionally, none of the assertions prevented Appellant from simply

mailing the proof of residency to MassHealth.

On this record, there is no basis in fact and/or law to warrant a finding that MassHealth's action is invalid. 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

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104, 413-785-4186