

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2505131
<b>Decision Date:</b>	6/18/2025	<b>Hearing Date:</b>	05/09/25
<b>Hearing Officer:</b>	Stanley Kallianidis		

**Appellant Representative:**



**MassHealth Representatives:**

Langze Phunkhang, Charlestown MEC  
Gretchen Whitworth, Premium Billing



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid  
Board of Hearings  
100 Hancock Street, 6<sup>th</sup> Floor  
Quincy, MA 02171*

## APPEAL DECISION

<b>Appeal Decision:</b>	Denied	<b>Issue:</b>	Premium Billing
<b>Decision Date:</b>	6/18/2025	<b>Hearing Date:</b>	05/09/25
<b>MassHealth Reps.:</b>	Langze Phunkhang, Charlestown MEC Gretchen Whitworth, Premium Billing		

### Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

### Jurisdiction

A notice dated January 27, 2025 was sent to the appellant stating that MassHealth was terminating his MassHealth CommonHealth benefits on February 10, 2025 due to unpaid premiums (see 130 CMR 506.011 and Exhibit 1). The appellant filed this appeal in a timely manner on March 31, 2025 (see 130 CMR 610.015 and Exhibit 2). A dispute over the termination of assistance is grounds for appeal (130 CMR 610.032).

Notice of the hearing was sent out on April 15, 2025 (Exhibit 3).

### Action Taken by MassHealth

MassHealth terminated the appellant's MassHealth CommonHealth benefits.

### Issue

Pursuant to 130 CMR 506.011, was MassHealth correct to terminate the appellant's CommonHealth benefits; and if so, has the appellant paid his past due premiums so as to have his CommonHealth benefits reinstated?

## Summary of Evidence

The MassHealth representative testified that MassHealth had terminated the appellant's MassHealth CommonHealth benefits on February 10, 2025 due to unpaid premiums (Exhibit 1).

The Premium Billing representative testified that the appellant was approved for CommonHealth on October 24, 2024 with a \$26.00 monthly premium. Due to unpaid premiums that started in November 2024, the appellant was sent a letter on January 27, 2025 informing him that his CommonHealth benefits would stop. She further testified that the appellant owes Premium Billing \$78.00 for unpaid premiums for the three-month period November 2024-January 2025 (Exhibit 4).

The appellant and his representative did not dispute the \$78.00 that remains unpaid in outstanding CommonHealth premiums. The basis of the appeal was that the appellant should not have to pay any premium because he gets disability income from Social Security and also pays child support.

At the hearing, the appellant continued to refuse to pay his past due premiums or engage in a payment plan with Premium Billing.

The appellant submitted a March 29, 2025 letter from the Social Security Administration into the record that indicated that the appellant's monthly Social Security benefit is \$2,644.00 and that he would have \$363.80 deducted for child support beginning April 2025 (Exhibit 5).

## Findings of Fact

The record shows, and I so find:

1. The appellant was approved for CommonHealth on October 24, 2024 with a \$26.00 monthly premium (Exhibit 4 and testimony).
2. The appellant owes Premium Billing \$78.00 for unpaid premiums for the three-month period November 2024-January 2025 (Exhibit 4).
3. The appellant was sent a letter on January 27, 2025 informing him that his CommonHealth benefits would stop due to unpaid premiums (Exhibit 4).
4. MassHealth terminated the appellant's MassHealth CommonHealth benefits on February 10, 2025 due to his unpaid premiums (Exhibit 1).
5. A March 29, 2025 letter from the Social Security Administration stated that indicated that the appellant's monthly Social Security benefit is \$2,644.00 and that he would have \$363.80 deducted for child support beginning April 2025 (Exhibit 5).

6. The appellant continues to refuse to pay his past due premiums or engage in a payment plan with Premium Billing (testimony).

## **Analysis and Conclusions of Law**

With regard to non-payment of CommonHealth premiums, 130 CMR 506.011 provides the following:

130 CMR 506.011(D) Delinquent Premium Payments. (1) Termination for Delinquent Premium Payments. If the MassHealth agency has billed a member for a premium payment, and the member does not pay the entire amount billed within 60 days of the date on the bill, the member's eligibility for benefits is terminated.

130 CMR 506.011(E) Reactivating Coverage Following Termination When a Member Has a Past Due Balance. (1) Except as provided in 130 CMR 506.011(E)(2), after the member has paid in full all payments due, has established a payment plan with MassHealth, or has been granted a waiver of past-due balance as described in 130 CMR 506.011(G), the MassHealth agency will reactivate coverage.

In the instant case, I have found that the appellant was approved for MassHealth CommonHealth benefits with a \$26.00 monthly premium starting in November 2024. Because he had unpaid premiums of \$78.00 for the three-month period November 2024-January 2025, the appellant was sent a letter on January 27, 2025 informing him that his CommonHealth benefits would stop on February 10, 2025.

In accordance with 130 506.011(D) & (E), I conclude that, due to the appellant having unpaid premiums over 60 days old, MassHealth was correct to terminate his CommonHealth benefits. Additionally, he is not entitled to a reinstatement of benefits because there no waiver issued, and he still refuses to pay this past due balance in full or establish a payment plan with MassHealth. The fact that the appellant now pays child support is irrelevant to the issue of his past-due premiums.

The 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.

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Stanley Kallianidis  
Hearing Officer  
Board of Hearings

cc:

Charlestown MEC

Maximus Premium Billing  
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