

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2505273
Decision Date:	4/16/2025	Hearing Date:	04/15/2025
Hearing Officer:	Radha Tilva		

Appearance for Appellant:



Appearance for MassHealth:

Patricia Rogers, Taunton MEC Rep.



*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:	LTC - verifications
Decision Date:	4/16/2025	Hearing Date:	04/15/2025
MassHealth's Rep.:	Patricia Rogers	Appellant's Rep.:	
Hearing Location:	Telephonic	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 4, 2025, MassHealth denied the appellant's application for MassHealth long-term care benefits because the appellant did not give MassHealth the information it needs to decide eligibility within the required time frame (Exhibit 1). The appellant filed this appeal in a timely manner on April 2, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied appellant's application for MassHealth long-term care benefits for failure to verify.

Issue

The appeal issue is whether MassHealth was correct in determining that appellant is ineligible for MassHealth benefits for failure to verify.

Summary of Evidence

The MassHealth representative who appeared at hearing testified that appellant applied for MassHealth long-term care benefits on November 21, 2024, seeking an eligibility start date of January 30, 2025. MassHealth sent a request for verifications to the appellant on January 28, 2025, which appellant failed to provide, thus prompting the denial notice on appeal dated March 4, 2025. At the time of the hearing the MassHealth case worker stated that MassHealth still needed proof of an SSDI application, bank statements from April 1, 2024 through present, and a question on the MassHealth application regarding life insurance answered. These items were all requested on the January 28, 2025 verification request (Exhibit 5). The MassHealth case worker did outreach to the appellant in anticipation of the appeal, and was told that he was not going to give the information to the nursing facility.

The appellant was represented at hearing by the Business Office Manager at the nursing home where the appellant resides. The representative stated that the appellant is aware of the verifications that are missing, and is not cooperating in providing the information requested by MassHealth.

Findings of Fact

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

1. Appellant applied for MassHealth long-term care benefits on November 21, 2024, seeking an eligibility start date of January 30, 2025.
2. MassHealth sent the appellant a request for verifications on January 28, 2025, which was due in 30 days.
3. The verifications were not received; and thus, MassHealth issued the March 4, 2025 denial notice.
4. The appellant failed to provide the verifications as of the hearing date, April 15, 2025.

Analysis and Conclusions of Law

MassHealth administers and is responsible for the delivery of health-care services to MassHealth members (130 CMR 515.002). The regulations governing MassHealth at 130 CMR 515.000 through 522.000 (referred to as Volume II) provide the requirements for noninstitutionalized persons aged ■ or older, institutionalized persons of any age, persons who would be institutionalized without community-based services, as defined by Title XIX of the Social Security Act and authorized by M.G.L. c. 118E, and certain Medicare beneficiaries (130

CMR 515.002). The appellant in this case is an institutionalized person. Therefore, the regulations at 130 CMR 515.000 through 522.000 apply (130 CMR 515.002).

Pursuant to 130 CMR 515.008, applicants or members must cooperate with MassHealth in providing information to establish and maintain eligibility and must comply with all of the rules and regulations governing MassHealth, including recovery. MassHealth may request additional information and documentation, if necessary, to determine eligibility (130 CMR 516.001).

To obtain the necessary information and documentation, MassHealth sends the applicant written notification requesting verifications to corroborate information necessary to determine eligibility, generally within five days of the receipt of the application (130 CMR 516.001(B)). The notice advises the applicant that the requested verifications must be received within 30 days of the date of the request, and of the consequences of failure to provide the information (130 CMR 516.001(B)). Under the regulations, if the requested information, with the exceptions of verification of immigration status, is not provided within 30 days of the date of the request, MassHealth benefits may be denied (130 CMR 516.001(C)).

The appellant was provided with the appropriate 30 days to provide the information necessary for an eligibility determination. As of the date of the notice on appeal, March 4, 2025, the appellant had not provided that information. The appellant's representative did not dispute the fact that the appellant received proper notice requesting information (130 CMR 516.001).

MassHealth acted within its discretion to deny the appellant's application for long-term care coverage (130 CMR 516.001(C)). The decision made by MassHealth was correct.

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.

Radha Tilva
Hearing Officer
Board of Hearings

cc:

cc: MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780