

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2505438
Decision Date:	06/24/2025	Hearing Date:	May 16, 2025
Hearing Officer:	Brook Padgett	Record Open:	June 16, 2025

Appellant Representative:

Pro se

CCA Representatives:

Jeremiah Mancuso, RN CCA Manager of Appeals
Cassandra Horne, CCA Operations Manager
Kaylee Emory, CCA Appeals Supervisor



*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:	Managed Care Organization Denial of Internal Appeal 130 CMR 407.411
Decision Date:	06/24/2025	Hearing Date:	May 16, 2025
CCA Rep.:	J. Mancuso, CCA	Appellant Rep.:	Pro se
Hearing Location:	Telephonic		

Authority

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

Jurisdiction

The appellant received a Commonwealth Care Alliance (CCA)¹ Denial of Level 1 Appeal dated February 14, 2025 for nonemergency transportation (taxi) to work. (Exhibit 1). The appellant submitted a request for a fair hearing to the Board of Hearings on February 25, 2025. (130 CMR 610.015(B); Exhibit 2). Denial of a request for prior authorization for transportation is valid grounds for appeal. (130 CMR 610.032).

Action Taken by CCA

CCA denied the appellant's prior authorization request for nonemergency transportation to work.

Issue

Was CCA correct in denying the appellant's prior authorization request?

¹ Commonwealth Care Alliance is a MassHealth managed care contractor as defined by regulations at 130 CMR 610.004 and described in regulations at 130 CMR 508.000.

Summary of Evidence

CCA was represented by its Clinical Manager of Appeals, who testified the appellant is a [REDACTED] female and a member of the One Care plan since June 01, 2024. On January 28, 2025 CCA denied the appellant's request for transportation to work because the appellant was previously approved for ten (10) one-way rides per month for non-medical purposes (within 50 miles from the pick-up location). CCA argued the appellant has received her maximum of nonemergency non-medical trips for the month so the request was denied. CCA maintained the appellant has no physical limitations and she has access to public transportation. CCA stated MassHealth only covers transportation when members are traveling to obtain medical services, and, for nonemergent medical services, requires members to use public transportation when available. 130 CMR 407.411(E)(1). CCA submitted into evidence CCA One-Care Benefit Manual. (Exhibit 4).

The appellant responded that she has been diagnosed with a schizophrenic disorder and has a disorientation problem along with auditory and visual hallucinations which makes it difficult taking public transportation. The appellant stated when she is on public transportation she drifts off and can end up far away from her location and doesn't know where she is or how to get home. The appellant argued that she needs someone to physically go with her on public transportation or bring her to work in a taxi as she is in a chronic mental state. The stated work is very important to her and is critical for her mental health, but without transportation she will be unable to work and will just sit at home, which will negatively affect her. The appellant indicated she has been getting rides from her neighbor, but he is no longer able to assist her.

At the appellant's request, the record remained open until June 16, 2025 to allow the submission of medical evidence explaining the medical necessity of the appellant's request for non-emergency transportation. (Exhibit 5).

On May 28, 2025 the appellant submitted an unsigned letter from [REDACTED] stating:

"To Whom it May Concern: This patient is established in care at [REDACTED]. This patient must be able to go to work in order to support [sic]. Please consider this patient's work-rides in order for her to be able to support herself.

This patient is at high risk for hospitalization if she is not able to have a daily routine, which includes being productive at her place of employment. Please consider assisting this patient with ongoing rides in order to support her mental health and recovery." (Exhibit 6).

After review of the submission CCA responded that while the note does support the appellant's need for continuous and stable employment, it does not address why the appellant cannot take public transportation. CCA's denial remained in place. (Exhibit 7).

Findings of Fact

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

1. The appellant is [REDACTED] of age and is a member of CCA. (Testimony).
2. The appellant's provider submitted a prior authorization request for transportation to the appellant's place of work. (Exhibit 1 and Testimony).
3. The appellant received a CCA Level 1 appeal denial on February 14, 2025. (Exhibit 1).
4. The appellant submitted a request for a fair hearing to the Board of Hearings on February 25, 2025. (Exhibit 2).
5. The appellant has no physical limitations. (Testimony).
6. The appellant has access to public transportation. (Testimony).
7. The appellant has a diagnosis which places her at high risk for hospitalization if she is not able to have a daily routine, which includes being productive at her place of employment. (Exhibit 6).

Analysis and Conclusions of Law

CCA is a MassHealth managed care contractor as defined by regulations at 130 CMR 610.004 and described in regulations at 130 CMR 508.000. The appellant is a [REDACTED] member of the CCA One Care Plan who submitted a request for prior authorization for transportation to and from work. This request was denied by CCA on the basis that the appellant had already used her 10 approved nonemergency non-medical trips as provided by her One Care plan and the request was not medically necessary.

The CCA One Care Member Handbook states the "plan covers ten (10) one-way rides per month for non-medical purposes, such as grocery shopping and the gym within 50 miles from the pick-up location. Rides not used within the month are not rolled over for future use." (CCA One Care (Medicare-Medicaid Plan) Member Handbook, Chapter 4, pg. 105). The appellant did not dispute that she has exhausted this member benefit.

MassHealth regulations at 130 CMR 407.000 describe Transportation Services. Per 130 CMR 407.411(A), MassHealth only covers transportation when members are traveling to obtain medical services. The appellant agrees that the transportation she requests is not to obtain medical services. Rather, it is to travel to and from her place of employment. Transportation to this location is therefore not covered under MassHealth regulations. Further, even if CCA were to

potentially provide coverage for transportation to this site, MassHealth regulations at 130 CMR 407.411(E)(1) would preclude coverage in this circumstance. That regulation provides, in part, as follows:

130 CMR 407.411: Transportation Utilization Requirements

(E) Nonemergency Community-based Transportation.

(1) Members should use public or personal transportation resources, including family or friends, whenever possible. . . .

(3) Public transportation is considered available if all of the following criteria are met.

(a) Public transportation is accessible and suitable to the member's medical condition and circumstances as determined by the MassHealth agency.

(b) Public transportation is operated in the member's locality on a regularly scheduled basis. A wait of up to one hour for a regularly scheduled ride and up to two transfers in transit is considered reasonable.

(c) The public transportation stop (i.e., bus or trolley stop, subway, or commuter rail station) is 1. within 0.75 mile from the member's residence or other authorized point of origin; and 2. within 0.75 mile from the destination address. (*Emphasis added*).

The appellant testified regarding her mental status and submitted a letter from the CBHC in Lowell indicating that she requires the support she receives through work and that she is at high risk for hospitalization if she is not able to have a daily routine, which includes being productive at her place of employment. The letter from the CBHC was unsigned, does not offer any diagnosis, and does not provide any medical evidence which explains why the appellant is medically unable to take public transportation. The appellant has not demonstrated that CCA erred in its denial of her request for additional non-medical transportation beyond the 10 trips provided as a One Care member benefit, and the appeal must be DENIED.

Order for CCA

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.

Brook Padgett
Hearing Officer
Board of Hearings

cc: SCO Representative: Commonwealth Care Alliance