

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2505566
Decision Date:	6/12/2025	Hearing Date:	05/02/2025
Hearing Officer:	Radha Tilva		

Appearance for Appellant:



Appearance for MassHealth:

Dominique Correa, Springfield 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:	Approved	Issue:	Eligibility – under 65 – continuous eligibility period
Decision Date:	6/12/2025	Hearing Date:	05/02/2025
MassHealth’s Rep.:	Dominique Correa	Appellant’s Rep.:	Mother
Hearing Location:	Springfield (telephonic)	Aid Pending:	Yes

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 26, 2025, MassHealth changed appellant’s coverage from MassHealth Standard to MassHealth Family Assistance, starting March 16, 2025, with a \$12.00 monthly premium effective April, 2025 (Exhibit 1). The appellant filed this appeal in a timely manner on April 7, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Challenging the scope of MassHealth assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth changed appellant’s MassHealth benefit from MassHealth Standard to Family Assistance.

Issue

The appeal issue is whether MassHealth was correct in determining that appellant is no longer eligible for MassHealth Standard benefits.

Summary of Evidence

The MassHealth representative appeared by telephone. The appellant is a minor child who was represented by her mother telephonically. The MassHealth representative testified that the appellant, a newborn child born in [REDACTED] was added to the household's MassHealth application on March 1, 2024. The household consists of a mother and two children. The younger child is the appellant.

An approval notice for MassHealth Standard was mailed the same day as the appellant was born to a mother with MassHealth Standard benefits. The notice stated that the approval was for a limited time only, as MassHealth needed additional information (Exhibit 8). A request for information for the Social Security number and noncustodial parent form was mailed to the appellant's mother on March 1, 2024, with a due date of May 30, 2024. MassHealth mailed a termination notice to the appellant on June 6, 2024 due to not providing proof. The appellant's mother called on July 11, 2024 and self-attested the appellant's Social Security number. An approval notice for MassHealth Standard for the appellant was issued that same day. The July 11, 2024 approval notice did not indicate that any information is still pending before MassHealth (Exhibit 7). The MassHealth representative testified that the noncustodial parent form was still missing at that time, however.

The MassHealth representative further testified that there was a system redetermination on February 28, 2025, which caused a request for information to be mailed that same day requesting income information, with a due date of May 29, 2025. MassHealth got proof of income on March 18, 2025 that was entered into the system on March 26, 2025. The MassHealth Family Assistance approval notice, at issue, was mailed on March 26, 2025 with a start date of March 16, 2025. Per the notice, the MassHealth Standard end date was April 9, 2025, and appellant would owe a monthly premium of \$12.00 for Family Assistance beginning in April 2025.

The representative testified that another request for information was mailed out on March 26, 2025, with due date of June 24, 2025. MassHealth received the completed noncustodial parent form on April 7, 2025, and processed it April 9, 2025. The MassHealth representative explained that for children in a final determination with no outstanding request for information, the HIX system won't downgrade the child. The noncustodial parent form that was due May 30, 2024 was never satisfied at the time to establish a benefit for the appellant. Thus, the appellant did not get the one year continuous coverage like the older child did when the income was updated.¹ The MassHealth representative explained that the final determination of Family Assistance is correct for the appellant.

The MassHealth representative testified that she could not see any notes in the system regarding the mother's difficulty logging on to the MassHealth portal, and also explained that the reason

¹ The testimony supported that the older sibling got continuous coverage after the income was reported because there were no pending documents that needed to be provided.

why the appellant was not kept on MassHealth Standard was because the initial benefit was not final, because the original noncustodial parent form that was requested for her was not submitted. Thus, when the income (which put them over the MassHealth limit for MassHealth Standard) was verified, the appellant did not get continuous coverage, whereas the older child did.

During the hearing, the MassHealth representative spoke with her supervisor to see if they could give the appellant continuous coverage and reported that they could not due to the outstanding request for information (i.e., non-custodial parent form) that was not timely completed. The MassHealth representative referenced Eligibility Operations Memo 24-02 (March, 2024) (hereinafter “EOM 24-02”) which addresses Continuous Eligibility for Certain MassHealth Members and states that a provisional or presumptive MassHealth beneficiary will only be eligible for continuous coverage if they receive a final eligibility determination before the end of their provisional or presumptive period. The memo goes on to state that those receiving a provisional benefit may need to submit information or verifications to establish their eligibility and those on a presumptive benefit, such as a hospital-determined presumptive eligibility, must submit a full application to receive a final eligibility determination (EOM 24-02). The MassHealth representative testified that appellant was receiving a presumptive benefit.

The appellant’s mother testified that it was challenging to get online to submit the noncustodial parent form. The appellant’s mother explained that her children have different fathers and the appellant’s child’s father is in jail. The appellant’s mother testified that she was transferred multiple times and she was finally able to get in touch with someone from MassHealth. The person gave her a link, but it did not work. The appellant was finally able to get into the account after talking to six different people from MassHealth. The appellant testified that she was unable to upload the noncustodial parent form for her younger child.

The MassHealth representative testified that there are multiple methods through which the appellant could have completed the noncustodial form such as mailing, faxing, or bringing it in person. The appellant stated that she wasn’t told of any of the other methods to send in the form and only knew about submitting it online.

Findings of Fact

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

1. The appellant is a minor child who was added to the MassHealth household application on [REDACTED] after she was born in the previous month.
2. A notice approving MassHealth Standard for the appellant was issued on March 1, 2024 and stated that the approval was for a limited time only.

3. A request for information was mailed on March 1, 2024 requesting the appellant's Social Security number and a noncustodial parent form.
4. The non-custodial parent form was not received, and a termination notice was issued to the appellant on June 6, 2024.
6. The appellant's mother called on July 11, 2024 and self-attested the appellant's Social Security number.
7. MassHealth issued an approval notice for MassHealth Standard to the appellant on July 11, 2024, which did not indicate that any information was still pending before MassHealth.
8. On February 28, 2025, a system redetermination prompted a request for information requesting income with a due date of May 29, 2025.
9. MassHealth received proof of household income on March 18, 2025, and issued the downgrade notice on appeal dated March 26, 2025 (changing the appellant's coverage from Standard to Family Assistance), with a start date of March 16, 2025.
10. MassHealth mailed another request for information to the appellant on March 26, 2025, with a due date of June 24, 2025.
11. MassHealth received the completed noncustodial parent form on April 7, 2025.
12. The appellant's mother had difficulty submitting the noncustodial parent form through the online portal.

Analysis and Conclusions of Law

MassHealth contends that appellant is not entitled to continuous eligibility as there was pending information that was never submitted when she was initially approved for MassHealth Standard benefits. Continuous eligibility (CE) is a period of time during which certain MassHealth members will not lose coverage regardless of most changes that would otherwise affect eligibility.² The purpose of continuous eligibility is to align MassHealth's goals of supporting integrated, outcomes-based care for MassHealth members and bring a new focus on advancing health equity by closing disparities in quality and access (EOM 24-02).

MassHealth allows for the continuation of benefits following an increase in household income under the following circumstances:

...

² <https://www.mass.gov/doc/continuous-eligibility-0/download> (last visited June 10, 2025).

(3) Members of a MassHealth MAGI household who receive MassHealth Standard (whether or not they receive TAFDC^[3]) and have earnings that raise the MassHealth MAGI household's modified adjusted gross income above 133% of the federal poverty level (FPL) **continue to receive MassHealth Standard for a full 12-calendar-month period that begins with the date on which the members MAGI exceeds 133% of the federal poverty level (FPL) if**

- (a) the MassHealth household continues to include a child younger than 19 years old living with the parent or caretaker;**
- (b) a parent or caretaker relative continues to be employed;
- (c) the parent or caretaker relative complies with 130 CMR 505.002(M); and
- (d) the member is a citizen or a qualified noncitizen.

130 CMR 505.002(L).

EOM 24-02 states that enrollment in continuous eligibility period requires a final eligibility determination. The MassHealth representative testified that appellant was the recipient of a presumptive MassHealth benefit. However, there is no documentary evidence supporting this testimony. A presumptive benefit is made by a qualified hospital, and according to the EOM, requires that appellant complete a full application; however, no mention of MassHealth ever requesting a new or full application was presented in MassHealth's testimony of the chronology of events. Similarly, there is also no evidence or testimony provided by MassHealth to support that appellant was receiving a provisional benefit. While the appellant's mother failed to submit the non-custodial parent form in a timely manner, after she provided the appellant's Social Security number on July 11, 2024, MassHealth reinstated benefits and did not terminate for failure to provide any requested verifications. Thus, the evidence does not corroborate that appellant was receiving a provisional benefit, but rather, supports that MassHealth made a final eligibility determination for the appellant in July, 2024.

As further support, the July 11, 2024 notice makes no mention of any sort of provisional or presumptive eligibility, nor does it state that the non-custodial parent form is still pending. Therefore, appellant should have automatically been placed onto a continuous eligibility period when appellant submitted the household income verification on March 18, 2024, per EOM 24-02 and 130 CMR 505.002(L)(3).

For the reasons set forth above, this appeal is APPROVED.

Order for MassHealth

Rescind notice dated March 26, 2025. Reinstate the appellant's eligibility for MassHealth Standard

³ Transitional Aid to Families with Dependent Children. 130 CMR 505.002(A)(3).

under continuous eligibility per the analysis above, through July 11, 2025. Per EOM 24-02, send the appellant a new application on or before the end of her 12-month continuous eligibility period.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

Radha Tilva
Hearing Officer
Board of Hearings

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