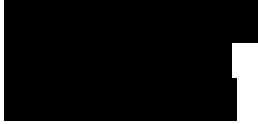


Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2505929
Decision Date:	06/24/2025	Hearing Date:	05/12/2025
Hearing Officer:	Emily Sabo	Record Open to:	06/16/2025

Appearances for Appellant:




Appearance for MassHealth:

Rhiannon Wojick, Tewksbury MEC



*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:	Long-Term Care; Verifications
Decision Date:	06/24/2025	Hearing Date:	05/12/2025
MassHealth's Rep.:	Rhianon Wojick	Appellant's Reps.:	
Hearing Location:	Quincy Harbor South (Telephone)	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 25, 2025, MassHealth denied the Appellant's application for MassHealth benefits because MassHealth determined that the Appellant did not provide proof in the time allowed. 130 CMR 502.003(D) and Exhibit 1. The Appellant filed this appeal in a timely manner on April 11, 2025. 130 CMR 610.015(B) and Exhibit 2. Denial of assistance is valid grounds for appeal. 130 CMR 610.032.

Action Taken by MassHealth

MassHealth denied the Appellant's application for MassHealth benefits.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 502.003(D), in determining that the Appellant did not provide proof in the time allowed in order for MassHealth to determine his eligibility?

Summary of Evidence

The hearing was held by telephone. The MassHealth representative testified that the Appellant is an adult between the ages of 21-64 and is married. The MassHealth representative testified that the Appellant was admitted to a nursing facility on [REDACTED], and that was the requested MassHealth start date. The Appellant applied for long-term care benefits on March 3, 2025. The MassHealth representative testified that MassHealth denied the long-term-care application on April 17, 2025, for failure to provide requested information. See Exhibits 7 & 8. The MassHealth representative testified that MassHealth received copies of pay stubs, but that they were illegible. MassHealth also stated that the Appellant failed to provide verification that he had applied for Social Security disability, a completed disability supplement, checking account statements with explanations of transactions of \$1,000.00 or more, and a vehicle title and registration.

The Appellant verified his identity and was also represented by a social worker. They testified that they had submitted all the requested information to MassHealth. The record was held open until June 2, 2025, for the Appellant to provide legible copies of pay stubs and the other missing information. Exhibit 5. The record was held open until June 16, 2025, for the MassHealth representative to review and respond. *Id.* The Board of Hearings did not receive any additional submissions during the record open period, and the MassHealth representative confirmed that MassHealth did not receive any verifications. Exhibit 6.

Findings of Fact

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

1. The Appellant is a married adult between the ages of 21-64. Testimony; Exhibit 4.
2. On March 3, 2025, the Appellant applied for MassHealth long-term care. Testimony; Exhibit 7.
3. On April 17, 2025, MassHealth denied the Appellant's application for MassHealth long-term care benefits on the grounds that he failed to submit requested information. Testimony; Exhibit 8.
4. MassHealth received illegible copies of the Appellant's pay stubs. Testimony.
5. Additionally, the Appellant failed to provide verification that he had applied for Social Security disability, a completed disability supplement, checking account statements with explanations of transactions of \$1,000.00 or more, and a vehicle title and registration. Testimony; Exhibit 7.

6. The record was held open until June 2, 2025, for the Appellant to provide legible copies of pay stubs and the other missing information. Exhibit 5.
7. During the record open period, neither the Board of Hearings nor MassHealth received the requested information. Exhibit 6.

Analysis and Conclusions of Law

MassHealth regulations provide:

130 CMR 515.008: Responsibilities of Applicants and Members

(A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility, and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining other health insurance.

(B) Responsibility to Report Changes. The applicant or member must report to the MassHealth agency, within ten days or as soon as possible, changes that may affect eligibility. Such changes include, but are not limited to, income, assets, inheritances, gifts, transfers of and proceeds from the sale of real or personal property, distributions from or transfers into trusts, address, availability of health insurance, immigration status, and third-party liability.

(C) Cooperation with Quality Control. The Quality Control Division periodically conducts an independent review of eligibility factors in a sampling of case files. When a case file is selected for review, the member must cooperate with the representative of Quality Control. Cooperation includes, but is not limited to, a personal interview and the furnishing of requested information. If the member does not cooperate, MassHealth benefits may be terminated.

130 CMR 515.008.

Here, the MassHealth representative testified that the Appellant failed to provide legible pay stubs, and also did not provide verification that he had applied for Social Security disability, a completed disability supplement, checking account statements with explanations of transactions of \$1,000.00 or more, and a vehicle title and registration. The record was held open so that the Appellant could provide that information, and he did not do so. *See Exhibits 5-8*. Accordingly, as applicants must cooperate with MassHealth in providing information necessary to establish eligibility for benefits, MassHealth did not err in denying the Appellant's application. 130 CMR 515.008(A). Therefore, 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.

Emily Sabo
Hearing Officer
Board of Hearings

[REDACTED]

cc: MassHealth Representative: Tewksbury MEC, Attn: Appeals Coordinator