

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2506132
Decision Date:	7/21/2025	Hearing Date:	5/19/2025
Hearing Officer:	Cynthia Kopka	Record Open to:	6/2/2025

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Katina Dean, Maximus



*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:	Transportation
Decision Date:	7/21/2025	Hearing Date:	5/19/2025
MassHealth's Rep.:	Katina Dean	Appellant's Rep.:	Pro se
Hearing Location:	Charlestown (remote)	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

By multiple notices dated between April 3, 2025 and May 16, 2025, MassHealth's Transportation Authorization Unit denied Appellant's provider requests for transportation (PT-1) to three locales. Exhibit 1. Appellant filed timely appeals of these notices between April 17, 2025, and May 15, 2025.¹ Exhibit 2. 130 CMR 610.015(B). Denial of assistance is a valid basis for appeal. 130 CMR 610.032.

Action Taken by MassHealth

MassHealth denied Appellant's provider requests for transportation.

Issue

The appeal issue is whether MassHealth was correct in denying Appellant's provider requests for transportation.

¹ Multiple separate filings were consolidated for this appeal. Other filings received by the Board of Hearings were scheduled for separate hearings (Appeal No. 2507638, heard June 13, 2025 and Appeal No. 2508237, heard June 25, 2025).

Summary of Evidence

A representative on behalf of MassHealth's Transportation Unit appeared by telephone and testified as follows. MassHealth received multiple prescriptions for medical transportation ("PT-1 forms") on Appellant's behalf from [REDACTED] to three different locales, with explanations below.

On April 3, 2025 and April 17, 2025, MassHealth denied requests for transportation to [REDACTED]. The request was denied because the medical provider does not participate with Medicaid and cites 130 CMR 407.411. Exhibit 1 at 1-2. The MassHealth representative testified that transportation to recreational programs is a non-covered service pursuant to 130 CMR 407.411(B)(3). Appellant testified that she attends the YMCA to walk, do tai chi, and swim. Appellant disputed that this was recreation and argued that it was for wellness. Appellant offered evidence in support of the YMCA being a facility that supports wellness programs.

On May 2, 2025, MassHealth denied a request for transportation to [REDACTED] because the medical provider does not participate with Medicaid, citing 130 CMR 407.411. Exhibit 1 at 3. The MassHealth representative testified that in order for MassHealth to cover transportation, both the submitter of the PT-1 request and the treater must be contracted with MassHealth. Appellant testified that she receives acupuncture at the [REDACTED] location and has no ability to get there.

On May 6, 2025 and May 16, 2025, MassHealth denied Appellant's request for transportation to the [REDACTED] citing 130 CMR 407.411, that it is not a MassHealth reimbursable service. Exhibit 1 at 4-5. Appellant testified that this request is not to go to church, but to attend group therapy sessions held by the National Alliance for Mental Illness (NAMI). Appellant testified that these meetings are medically necessary and only happen to take place at the church.

Appellant testified that it is necessary for Appellant to get to the places to which she requested transportation for her wellness. Appellant argued that she has [REDACTED] after being struck in the head and cannot ride public transportation where someone may be behind her.

Appellant testified that she is a nurse and if she was writing a care plan for a patient, she would include all of these services under the umbrella of overall wellness. Without these services, Appellant would not be able to be independent, sustain her agency, and accomplish her goals. Appellant argued that when she was inpatient, she received services such as yoga, art therapy, and music therapy all while MassHealth paid for her stay. Now she is looking to be able to attend similar services while in the community and MassHealth should pay for the transportation. Appellant argued that she is trying to do the things she needs to do in order to function.

Appellant testified that she did not have enough time to prepare for her appeal by speaking to her

MassHealth ombudsperson. The hearing record was held open through June 2, 2025 to allow Appellant additional time to provide evidence in support of her position. To date, Appellant has not submitted any additional evidence for this appeal.

Findings of Fact

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

1. [REDACTED] submitted PT-1 requests to MassHealth on Appellant's behalf requesting coverage of transportation to three different locales.
2. On April 3, 2025 and April 17, 2025, MassHealth denied requests for transportation to [REDACTED] Exhibit 1 at 1-2.
3. On May 2, 2025, MassHealth denied a request for transportation to [REDACTED] because the medical provider does not participate with Medicaid. *Id.* at 3.
4. On May 6, 2025 and May 16, 2025, MassHealth denied Appellant's request for transportation to the [REDACTED] because it is not a MassHealth reimbursable service. *Id.* at 4-5.
5. Appellant filed timely appeals of these notices between April 17, 2025 and May 15, 2025. Exhibit 2.
6. Appellant visits the YMCA to walk, do tai chi, and swim.
7. Appellant visits the [REDACTED] to attend NAMI group therapy sessions.
8. Appellant receives acupuncture at [REDACTED]

Analysis and Conclusions of Law

MassHealth covers transportation services only when provided to eligible MassHealth members subject to the restrictions and limitations described in MassHealth regulations. 130 CMR 407.403(A)(1). Under 130 CMR 407.411 (emphasis added),

(A) Covered Services. The MassHealth agency pays for transportation services that meet the requirements of 130 CMR 407.000 **only when such services are covered under the member's MassHealth coverage type and only when members are traveling to obtain medical services covered under the member's coverage type** (see 130 CMR 450.105: *Coverage Types*).

(1) In the case of public transportation, the MassHealth agency determines those medical services that are covered by MassHealth.

(2) In the case of fee-for-service ambulance and wheelchair van transportation, it is the responsibility of the transportation provider to judge which medical services are covered by MassHealth and to advise the member in cases where transportation is requested to a service that, in the provider's judgment, may not be or is not covered by MassHealth. If a member is in doubt as to whether or not a medical service is covered by MassHealth, the member should contact the MassHealth agency.

(3) In the case of brokered transportation, the MassHealth agency determines those services that are covered by MassHealth.

(B) Noncovered Services. The following are examples of transportation services that are not covered by MassHealth:

(1) transportation to child day-care centers and nurseries;

(2) transportation of persons who are elderly or disabled to adult day health programs, except when arranged by special contract with the MassHealth Adult Day Health Program;

(3) **transportation to schools, summer camps, and recreational programs (for example, swimming classes);**

(4) transportation of family members to visit a hospitalized or institutionalized member;

(5) transportation to a medical facility or physician's office for the sole purpose of obtaining a medical recommendation for homemaker/chore services;

(6) transportation to government-agency offices;

(7) transportation to visit a child in foster-care placement or in group-care placement;

(8) transportation to a medical service that is within 0.75 miles of the member's home or other MassHealth agency-approved point of origin, when the member is able to ambulate freely with or without an escort;

(9) transportation to pharmacies to obtain medications; and

(10) transportation to obtain computerized axial tomography (CAT) scans at a facility other than one that has been issued a Certificate of Need by the Massachusetts Department of Public Health.

(C) Locality Restrictions. The MassHealth agency pays for an eligible member to be transported to sources of medical care only within the member's locality, unless otherwise authorized by the MassHealth agency. However, when necessary medical services are unavailable in the member's locality, transportation to the nearest medical facility in which treatment is available is covered by MassHealth. Medical transportation originates from the member's home or other appropriate location, such

as the office of another provider, and proceeds to the location of the medical appointment.

MassHealth denied requests for transportation submitted by [REDACTED] [REDACTED] Appellant seeks transportation to the YMCA to walk, swim, and do tai chi. MassHealth does not cover transportation to recreational programs pursuant to 130 CMR 407.411(B)(3).

MassHealth denied a request for transportation to [REDACTED] where Appellant receives acupuncture as part of her treatment plan. There is no evidence in the record that [REDACTED] is a MassHealth provider or that the acupuncture Appellant receives is paid by MassHealth. Pursuant to 130 CMR 407.411(A), MassHealth only covers transportation to MassHealth providers to receive MassHealth services.

Finally, MassHealth denied a request for transportation to the [REDACTED] where Appellant attends NAMI group therapy sessions. Again, there is no evidence in the record that NAMI is a MassHealth provider or that the therapy Appellant receives is paid by MassHealth. Pursuant to 130 CMR 407.411(A), MassHealth only covers transportation to MassHealth providers to receive MassHealth services.

Appellant testified that she needs transportation to these locales to promote her wellness. Appellant does not have the ability to get to these places without assistance. Appellant's requests are understandable, but not within the regulations. Appellant may have her MassHealth providers submit PT-1 requests for transportation to her MassHealth services. 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.

Cynthia Kopka
Hearing Officer

Board of Hearings

MassHealth Representative: Katina Dean, MAXIMUS - Transportation, 1 Enterprise Drive, Suite 310, Quincy, MA 02169