

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED; DISMISSED	Appeal Number:	2506350
Decision Date:	7/14/2025	Hearing Date:	05/27/2025
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:

Pro se

Appearance for MassHealth:

Ariel Cooper



*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; DISMISSED	Issue:	Eligibility – Community, under age 65
Decision Date:	7/14/2025	Hearing Date:	05/27/2025
MassHealth's Rep.:	Ariel Cooper	Appellant's Rep.:	Pro se
Hearing Location:	Tewksbury MEC		

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 April 18, 2025, MassHealth denied Appellant's application for MassHealth benefits, but approved her for a Connector Plan (Exhibit A). Appellant filed this appeal in a timely manner on April 18, 2025 (see 130 CMR 610.015(B) and Exhibit A). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied Appellant's application for MassHealth benefits but approved her for a Connector Plan.

Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it denied Appellant's application for MassHealth benefits but approved her for a Connector Plan.

Summary of Evidence

The parties appeared virtually.

The MassHealth representative began to explain why Appellant was denied MassHealth benefits, but approved for a Connector Plan, when Appellant interjected to explain that she was not actually appealing that determination, but an earlier loss of coverage.

Appellant testified that she used to be under her mother's case and she tried to remove herself from that case and apply on her own behalf. According to Appellant, she was told by MassHealth that she could not do this independently and her mother had to contact MassHealth to have her removed from the household. Appellant also testified that her mother tried to remove her from the household but was not able to. Upon questioning by the hearing officer, Appellant stated that she was over the age of [REDACTED] during these efforts.

In response, the MassHealth representative testified that a notice issued on August 8, 2024, informing Appellant that her benefits were terminating because she failed to file a job update form that was sent to her in June 2024. The job update form and the termination notice were both sent to the mother's address as Appellant was under her household. The MassHealth representative further testified that Appellant's mother contacted the agency on January 23, 2025, to remove Appellant and her children from the mother's household.

Upon questioning by Appellant, the MassHealth representative testified that the notes to system do not indicate that Appellant or her mother contacted MassHealth prior to the mother's call on January 23, 2025.

Findings of Fact

Based on a preponderance of the evidence, this record supports the following findings:

1. Pursuant to notice dated April 18, 2025, Appellant was denied MassHealth benefits but approved for a Connector Plan.
2. Appellant had no dispute with the actions under the subject notice of April 18, 2025.
3. A notice issued on August 8, 2024, informing Appellant that her MassHealth benefits were terminating because she failed to file a job update form that was sent to her in June 2024.
4. The job update form and the termination notice were both sent to the mother's address as Appellant was under her household.
5. Appellant's mother contacted the agency on January 23, 2025 to remove Appellant and

her children from the mother's household.

6. MassHealth's "notes to system" do not indicate that Appellant or her mother contacted MassHealth prior to the mother's call on January 23, 2025.

Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity (*Merisme v. Board of Appeals of Motor Vehicle Liability Policies and Bonds*, 27 Mass. App. Ct. 470, 474 (1989)). On this record, Appellant has not met her burden.

Appellant did not dispute the actions under the subject notice of April 18, 2025, and the appeal is denied as to such notice. The appellant sought to address a gap in coverage which arose when her benefits were terminated pursuant to a notice issued on August 8, 2024, which she never appealed. An applicant or member has 60 days from the date of notice to file an appeal (130 CMR 610.015(B)). Having failed to meet this deadline, this Board lacks jurisdiction to address the termination notice issued on August 8, 2024, and any dispute regarding the MassHealth notice dated August 8, 2024 is dismissed pursuant to 130 CMR 610.035(A)(1)¹.

For the foregoing reasons, the appeal is DENIED and DISMISSED.

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.

Kenneth Brodzinski
Hearing Officer
Board of Hearings

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East

¹ Dismissal of a Request for a Hearing (A) BOH will dismiss a request for a hearing when (1) the request is not received within the time frame specified in 130 CMR 610.015.

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