

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved; Remanded	<b>Appeal Numbers:</b>	2506721 & 2506726 (consolidated)
<b>Decision Date:</b>	7/11/2025	<b>Hearing Date:</b>	May 30, 2025
<b>Hearing Officer:</b>	Brook Padgett		

**Appellant Representative:**



**MassHealth Representative:**

Sophia Beauport-LaFontant, Charlestown MEC



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid  
Board of Hearings  
100 Hancock Street  
Quincy, Massachusetts 02171*

## APPEAL DECISION

<b>Appeal Decision:</b>	Approved; Remanded	<b>Issue:</b>	Community Eligibility Over 65 130 CMR 505.002
<b>Decision Date:</b>	7/11/2025	<b>Hearing Date:</b>	May 30, 2025
<b>MassHealth Rep.:</b>	S. Beauport- LaFontant	<b>Appellant Rep.:</b>	Son
<b>Hearing Location:</b>	Charlestown MEC	<b>Aid Pending:</b>	No

### Authority

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

### Jurisdiction

The appellants each received a MassHealth notice dated March 11, 2025 stating: MassHealth is ending your coverage because you are not a resident of Massachusetts. 130 CMR 503.002. (Exhibit 1). The appellants filed this appeal timely on April 28, 2025. (130 CMR 610.015(B); Exhibit 2). Termination of assistance is valid grounds for appeal. (130 CMR 610.032).

### Action Taken by MassHealth

The appellants' MassHealth Standard benefits were terminated.

### Issue

Are the appellants eligible for MassHealth Standard?

## Summary of Evidence

MassHealth testified that the appellants, who are over 65, receive MassHealth through the Social Security Administration (SSA) as recipients of Supplemental Security Income (SSI). The MassHealth representative stated that MassHealth was informed that the appellant's were no longer living in Massachusetts and terminated their MassHealth coverage. The Medicaid Management Information Systems (MMIS) shows that at the time of termination, the appellants were open on a Category 1 case, which is MassHealth for SSI recipients and is administered by SSA.

The appellants' representative responded that his parents are Massachusetts residents; however, they are currently out of the country. The representative argued his parents were told to notify Social Security when they would be out of the country and when they did, they lost their MassHealth coverage. The representative stated the appellants need their MassHealth so they can get their medication. The representative indicated that he mails the appellants their medication when they are out of the country.

The MassHealth representative stated that she could adjust MassHealth's records to indicate the appellants are still Massachusetts residents as they intend to return home; however, they need to contact the SSA to reinstate their MassHealth because in their case, the SSA determines their MassHealth eligibility.

The appellants' representative responded that the appellants were never notified that they would lose their MassHealth coverage if they contacted Social Security. The representative acknowledged the appellants have been out of the country for more than 30 days; however, they have lived in this country for 17 years, have been on MassHealth for 10 years, and have travelled out of the country many times without losing their MassHealth coverage. The representative indicated that appellant [REDACTED] will be returning to Massachusetts in July; however, appellant [REDACTED] will not be returning until he can find someone to assist him because he is very frail. The appellants' representative requested the appellants' MassHealth benefits be reinstated until they return and contact Social Security to rectify the issue.

## Findings of Fact

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

1. The appellants are over 65 years old and received MassHealth Standard benefits through the SSA as recipients of SSI. (Testimony).
2. MassHealth records indicate the appellants are resident of Massachusetts. (Testimony).
3. The appellants are not currently in the United States and notified SSA when they left the country.

(Testimony).

4. The appellants have been out of the country for more than 30 days. (Testimony).
5. Appellant [REDACTED] will be returning to Massachusetts in July. (Testimony).
6. It is not known when appellant [REDACTED] will be returning to Massachusetts. (Testimony).

## Analysis and Conclusions of Law

SSI provides monthly payments to people with disabilities and older adults who have limited income or resources. In Massachusetts SSI recipients are automatically eligible for Medicaid/MassHealth. (See 130 CMR 519.002(C)).<sup>1</sup> The appellants received their MassHealth eligibility through SSA as SSI recipients.

The appellants' representative stated that the appellants contacted SSA to inform the agency that they would be out of the country for a period of time. The appellants' representative confirmed that the appellants have been out of the country for at least 30 days and will not be returning before July 2025, at the earliest. Based on this information, SSA terminated the appellants' SSI causing a loss of their MassHealth benefits.

The MassHealth representative testified that MassHealth terminated the appellants' MassHealth benefits because they were no longer residents of Massachusetts, but MassHealth was not administering the appellants' MassHealth case, SSA was. The appellants' MassHealth benefits under Category 1 terminated because their SSI was terminated by SSA, not because of any determination made by MassHealth.

MassHealth regulations require that when an individual whose SSI assistance has been terminated, and who is determined to be potentially eligible for MassHealth, they continue to receive MassHealth Standard coverage until a determination of ineligibility is made by MassHealth. (See 130 CMR 519.002(C)).<sup>2</sup>

---

<sup>1</sup> 130 CMR 519.002: MassHealth Standard (A) Overview. (1) 130 CMR 519.002 through 130 CMR 519.007 contain the categorical requirements and asset and income standards for MassHealth Standard, which provides coverage for individuals 65 years of age and older, institutionalized individuals, and those who would be institutionalized without community-based services. (2) Individuals eligible for MassHealth Standard are eligible for medical benefits on a fee-for-service basis as defined in 130 CMR 515.001: Definition of Terms. The medical benefits are described in 130 CMR 450.105(A): MassHealth Standard. (3) The begin date of medical coverage for MassHealth Standard is established in accordance with 130 CMR 516.005: Time Standards for Eligibility Determination. **(B) Automatic Eligibility for SSI Recipients. (1) Individuals described in 130 CMR 519.002(A)(1) who meet basic, categorical, and financial requirements under the Supplemental Security Income (SSI) program are automatically eligible to receive MassHealth Standard and Medicare Savings Program coverage. (Emphasis added).**

<sup>2</sup> 130 CMR 519.002: MassHealth Standard (C) Extended Eligibility for SSI Recipients. **An individual whose SSI assistance**

The appellants' SSI assistance has been terminated, and they remain potentially eligible for MassHealth. Therefore, pursuant to 130 CMR 519.002(C), the appellants should continue to receive MassHealth Standard coverage until a determination of eligibility is made by MassHealth.

This appeal is approved, and remanded to MassHealth to redetermine the appellants' MassHealth eligibility under MassHealth regulations.

## Order for MassHealth

Reinstate MassHealth benefits and redetermine appellants' MassHealth eligibility.

## 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.

## 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: MassHealth Representative: [REDACTED]  
[REDACTED]

---

**has been terminated, and who is determined to be potentially eligible for MassHealth, continues to receive MassHealth Standard coverage until a determination of ineligibility is made by the MassHealth agency. (*Emphasis added*).**