

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2507100
Decision Date:	7/24/2025	Hearing Date:	6/04/2025
Hearing Officer:	Patrick Grogan	Record Open to:	N/A

Appearances for Appellant:



Appearance for MassHealth:

Katelyn Costello, MassHealth Quincy


Interpreter:

N/A



*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:	Eligibility under 65, Coverage Start Date
Decision Date:	7/24/2025	Hearing Date:	6/04/2025
MassHealth's Rep.:	Katelyn Costello	Appellant's Reps.:	
Hearing Location:	Quincy Harbor South 2 (MSTeams)	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 May 1, 2025, MassHealth approved the Appellant's application for MassHealth benefits beginning April 21, 2025 (see 130 CMR 502.006 and Exhibit 1). The Appellant filed this appeal in a timely manner on May 6, 2025. (see 130 CMR 610.015(B) and Exhibit 2). Imposition of a coverage date is a MassHealth action and is valid grounds for appeal (see 130 CMR 610.032(3)).

Action Taken by MassHealth

MassHealth approved the Appellant's application for MassHealth benefits beginning April 21, 2025. (see 130 CMR 502.006 and Exhibit 1).

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 502.006, in determining that the Appellant's MassHealth coverage begins April 21, 2025 (see 130 CMR 502.006 and Exhibit 1).

Summary of Evidence

The Appellant is a MassHealth member under the age of [REDACTED] who applied for MassHealth benefits. (Testimony) MassHealth testified that a new application for MassHealth benefits was received on May 1, 2025. (Testimony) The Appellant was approved for MassHealth CarePlus beginning on April 21, 2025. (Testimony, 130 CMR 502.006)

In the Appellant's Fair Hearing Request, the Appellant indicated that he was seeking retroactive coverage. (Exhibit 2) The Appellant indicated that he was seeking MassHealth to cover a bill from before MassHealth coverage began. (Exhibit 2) The Appellant submitted a bill, dated before the application was received, and before MassHealth coverage began on April 21, 2025. (Exhibit 5) At Hearing, the Appellant explained that he had been in the hospital and was told that he should submit proof of identification to an enumerated fax number. (Testimony, Exhibit 5) The Appellant stated that he had called MassHealth multiple times, and was told he had to wait for a decision about coverage. (Testimony) The Appellant's father stated that the Appellant had to google information to find out how to obtain MassHealth coverage, and that the people who the Appellant had called at the main MassHealth number kept providing inaccurate information, on which the Appellant relied. (Testimony) The Appellant offered to show his call logs, to verify that he had called MassHealth, however, the Appellant was unable to provide any evidence regarding to whom he had spoken, with which departments he had spoken, nor was the Appellant able to provide any documentation of what he had stated he had been told by MassHealth. (Testimony)

MassHealth confirmed that the fax number utilized was a MassHealth fax number, but for providers to sign up for MassHealth, not for identification verification or submission of MassHealth applications for benefits. MassHealth explained that retroactive coverage could only be instituted for 10 days prior to the application. (Testimony) MassHealth stated that MassHealth was not aware of any authority to grant retroactive coverage beyond the 10 days in the circumstances of the instant appeal. (Testimony) The Appellant responded that he was also unaware of any authority to grant retroactive coverage beyond the 10 days but was hopeful that it existed and was seeking help with the bill he submitted. (Testimony, Exhibit 5) The Appellant confirmed that he did not have any evidence that an application had been submitted prior to the application that was received by MassHealth on May 1, 2025. (Testimony)

Findings of Fact

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

1. The Appellant applied for MassHealth benefits, through an application received by MassHealth on May 1, 2025. (Testimony, Exhibit 1)

2. The Appellant has been approved for MassHealth CarePlus, beginning on April 21, 2025. (Testimony, Exhibit 1, 130 CMR 502.006)
3. The Appellant seeks retroactive coverage prior to the beginning of MassHealth coverage, April 21, 2025. (Exhibit 2)

Analysis and Conclusions of Law

The Appellant has the burden "to demonstrate the invalidity of the administrative determination." Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228. See also Fisch v. Board of Registration in Med., 437 Mass. 128, 131 (2002); Faith Assembly of God of S. Dennis & Hyannis, Inc. v. State Bldg. Code Commn., 11 Mass. App. Ct. 333, 334 (1981); Haverhill Mun. Hosp. v. Commissioner of the Div. of Med. Assistance, 45 Mass. App. Ct. 386, 390 (1998).

The Appellant requests retroactive coverage for bills incurred prior to MassHealth's coverage beginning on April 21, 2025. (Exhibit 2) The controlling Regulation can be found at 130 CMR 502.006(A)(2)(a):

502.006: Coverage Dates

(A) Start Date of Coverage for Applicants. For individuals applying for coverage, the date of coverage for MassHealth is determined by the coverage type for which the applicant may be eligible. 130 CMR 505.000: Health Care Reform: MassHealth: Coverage Types describes the rules for establishing this date, except as specified in 130 CMR 502.003(E)(1), (F)(2), and (H)(2).

(1) The start date of coverage for individuals approved for benefits under provisional eligibility is described at 130 CMR 502.003(E)(1).

(2) The start date of coverage for individuals who do not meet the requirements for provisional eligibility, as described at 130 CMR 502.003(E)(2)(a), is described at 130 CMR 502.006(A)(2)(a) through (c), except individuals described at 130 CMR 502.006(C).

(b) For individuals who submit all required verifications within the 90-day time frame, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 506.006(C).

In the instant appeal, the new application was received on May 1, 2025. MassHealth was able to approve the Appellant for MassHealth CarePlus, beginning on April 21, 2025, 10 days prior to the date of the application. (Testimony, Exhibit 1) The Appellant, as well as the Appellant's father, testified regarding the general confusion and contradictory information the Appellant had testified that he had received prior to the approval for MassHealth. However, these impressions

and general confusion do not invalidate that administrative determination by MassHealth which comports with the explicit dictates of 130 CMR 502.006(A)(2)(b). Although I credit the testimony of the Appellant that he had called MassHealth, the Appellant was unable to provide any supporting evidence regarding to whom he had spoken, at MassHealth, with which departments he had spoken at MassHealth, nor was the Appellant able to provide any documentation of the information he had stated he had been told by MassHealth. (Testimony) Accordingly, on this record, the Appellant has not met the burden, by a preponderance of evidence, to show that the MassHealth determination is invalid. Therefore, 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.

Patrick Grogan
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: Quincy MEC, Attn: Appeals Coordinator, 100 Hancock Street, 6th Floor, Quincy, MA 02171