

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2507477
Decision Date:	11/14/2025	Hearing Date:	08/06/2025
Hearing Officer:	Marc Tonaszuck	Record Open to:	09/05/2025 for Appellant: 09/19/2025 for MassHealth

Appearance for Appellant:



Appearance for MassHealth:

Jenny Chan



*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:	11/14/2025	Hearing Date:	08/06/2025
MassHealth's Rep.:	Jenny Chan	Appellant's Rep.:	
Hearing Location:	Quincy Harbor South	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 03/20/2025, MassHealth informed the appellant that it reviewed his application for long term care (LTC) services and determined that he was not eligible because she did not give MassHealth the information it needs to decide his eligibility within the required time frame (130 CMR 515.008; Exhibit 1). On 05/13/2025, a timely appeal was filed on the appellant's behalf (130 CMR 610.015(B); Exhibit 2). Individual MassHealth agency determinations regarding scope and amount of assistance (including, but not limited to, level-of-care determinations) are valid grounds for appeal (130 CMR 610.032).

On the date of the fair hearing, the appellant's representative requested that the record remain open so that the missing verifications could be provided to MassHealth. Her request was granted, and the record remained open in this matter until 09/05/2025 for the appellant's submission and until 09/19/2025 for MassHealth's response (Exhibit 5). The appellant made no submission to the hearing record during the record open period. On 09/09/2025, the appellant representative requested that the record remain open for an additional period of time (Exhibit 6). The Hearing Officer denied the request for an extension of the record open period because the appellant did not make her request during his record open due date, 09/05/2025 (Exhibit 7).

Action Taken by MassHealth

MassHealth denied the appellant's application for Long Term Care (LTC) benefits for failure to submit requested verifications.

Issue

The issue is whether or not the requested verifications were submitted to MassHealth.

Summary of Evidence

The MassHealth representative testified telephonically that the appellant submitted an application for MassHealth long term care (LTC) benefits on 01/31/2025, seeking MassHealth benefits on 02/01/2025. On 02/12/2025 a request for verifications was sent by MassHealth, requesting various financial information to process the appellant's application for benefits. On 03/20/2025, some of the verifications remained outstanding and MassHealth denied the application.

As of the date of the fair hearing, the missing verifications were the following:

██████████ account ending in ██████ – Reoccurring ATM withdrawals and transactions for ██████ between 10/1/2023 to 10/23/2024. Need proof and verification of the transactions.

(Exhibit 4.)

The appellant was represented at the fair hearing by the Business Office Manager from the skilled nursing facility. She stated that a conservator has been appointed, and that she has been in contact with ██████████. She was told that the "check is in the mail." The appellant representative requested an extension of time to submit the missing verifications. Her request was granted, and the record remained open in this matter until 09/05/2025 for the appellant's submission and until 09/19/2025 for MassHealth's submission. On 09/08/2025, the appellant's representative submitted a request for a second extension of the hearing record. Her request was denied because she did not request the extension of time before her deadline of 09/05/2025.

During the record open period, the appellant's representatives made no submission to the hearing record. On 09/12/2025, the MassHealth representative informed the hearing officer that the following verifications remained outstanding:

- ██████████ account ending in ██████
- No proof submitted for the reoccurring ATM withdrawals and payments to ██████ between 10/01/2023 to 10/23/2024.
 - ██████████ Funeral Home burial contract

Findings of Fact

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

1. The appellant, a nursing home resident, applied for MassHealth long term care benefits on 01/31/2025, seeking MassHealth benefit starting on 02/01/2025.
2. On 02/12/2025, MassHealth sent to the appellant a request for information (VC-1), seeking information necessary to make an eligibility determination.
3. On 03/20/2025, MassHealth denied the appellant's application for benefits because it did not receive the requested verifications.
4. The appellant submitted a request for a fair hearing on 05/13/2025.
5. A fair hearing took place before the Board of Hearings on 08/06/2025.
6. At the fair hearing, the MassHealth representative testified that the following verifications were not received by MassHealth:

██████████ account ending in ██████ – Reoccurring ATM withdrawals and transactions for ██████ between 10/01/2023 to 10/23/2024. Need proof and verification of the transactions.

7. At the fair hearing, the appellant representative requested an extension of time to submit the missing verifications. Her request was granted, and the record remained open in this matter until 09/05/2025 for the appellant's submission and until 09/19/2025 for MassHealth's submission.
8. The appellant made no submission to the hearing record during the record open period.
9. On 09/08/2025, the appellant's representative submitted a request for a second extension of the hearing record. Her request was denied by the hearing officer because it was not submitted during the appellant's time to submit documents.
10. On 09/12/2025, the MassHealth representative informed the hearing officer that the following verifications remained outstanding:

- ██████████ account ending in ██████

- No proof submitted for the reoccurring ATM withdrawals and payments to [REDACTED] between 10/01/2023 to 10/23/2024.
- [REDACTED] Funeral Home burial contract
 - Burial contract and statement of goods and services received on 9/5/2025 via fax. A check issued from [REDACTED] showing check made to the [REDACTED] Funeral Home, however no [REDACTED] reported from the applicant. Proof of account owner not provided.

Analysis and Conclusions of Law

MassHealth regulations at 130 CMR 515.008 address responsibilities of applicants and members as follows:

(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.

Regulations at 130 CMR 516.001(B) address corroborative information as follows:

The MassHealth agency requests all corroborative information necessary to determine eligibility.

(1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.

(2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

This appeal involves a denial of MassHealth LTC benefits based on the appellant's failure to provide requested verifications within the regulatory time frame. The application was submitted on 01/31/2025. MassHealth sent a request for verifications to the appellant, requesting certain documents and information to establish eligibility for LTC benefits. The appellant failed to provide all of the requested information, and on 03/20/2025, MassHealth denied the appellant's application for failure to provide verifications. A timely appeal was filed on behalf of the appellant, and a fair hearing was held before the Board of Hearings.

At the fair hearing, the MassHealth representative testified that the following verifications remained outstanding:

[REDACTED] account ending in [REDACTED]

- No proof submitted for the reoccurring ATM withdrawals and payments to [REDACTED] between 10/01/2023 to 10/23/2024.

The appellant's representative testified that she needed additional time to submit the missing verifications. Her request was granted, and the record remained open until 09/05/2025 for the appellant's submission. During the record open period the appellant's representative made no submission to the hearing record. On 09/12/2025, the MassHealth representative informed the hearing officer that the following verifications had not been provided:

- [REDACTED] account ending in [REDACTED]
 - No proof submitted for the reoccurring ATM withdrawals and payments to [REDACTED] between 10/1/2023 to 10/23/2024.
- [REDACTED] Funeral Home burial contract
 - Burial contract and statement of goods and services received on 9/5/2025 via fax. A check issued from [REDACTED] showing check made to the [REDACTED] Funeral Home, however no [REDACTED] reported from the applicant. Proof of account owner not provided.

Because the appellant did not provide the requested verifications prior to or during the hearing process, MassHealth's decision to deny the application is supported by the regulations and the relevant facts in the hearing record. This appeal is therefore 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.

Marc Tonaszuck
Hearing Officer
Board of Hearings



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