

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2507804
Decision Date:	8/29/2025	Hearing Date:	07/02/2025
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:

Pro se

Appearance for MassHealth:

For Commonwealth Care Alliance: Cassandra
Horne; Jeramiah Mancuso; and Kaliegh Emory



*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:	Prior Authorization PCA
Decision Date:	8/29/2025	Hearing Date:	07/02/2025
MassHealth's Rep.:	Cassandr Horne (CCA)	Appellant's Rep.:	Pro se
Hearing Location:	Quincy	Aid Pending:	Yes

Authority

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

Jurisdiction

Through notice dated May 16, 2025, MassHealth's agent, Commonwealth Care Alliance (CCA) modified a request for prior authorization (PA) for Home Health Aide (HHA) services by denying some of the requested time for service (Exhibit A). Appellant filed for this appeal in a timely manner on May 19, 2025 seeking approval for the denied time (see 130 CMR 610.015(B) and Exhibit A). Appellant was granted AID PENDING status forestalling the decrease in time pending the outcome of this appeal.¹ Denial of prior authorization for assistance constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth's agent, CCA, modified a request for prior authorization for HHA services by denying some of the requested time for service.

¹ The subject PA period expired prior to the hearing; however, CCA acted on a subsequent PA submission for renewed HHA hours and again denied some of the requested time. Appellant agreed to forego an internal Level One appeal with CCA and have this appeal address the latest CCA action that was based on an assessment performed on July 1, 2025.

Issue

The appeal issue is whether MassHealth's agent, CCA, properly applied the controlling regulation(s) to accurate facts when it modified Appellant's request for prior authorization for HHA services by denying some of the requested time for service.

Summary of Evidence

Both parties appeared by telephone. CCA filed a packet of documentation (Exhibit B) and a copy of the subject time-for-task tool (Exhibit C). Appellant filed a letter from a nurse practitioner along with his fair hearing request (Exhibit A).

The CCA representatives testified that Appellant was first enrolled in the CCA One Care program in July 2017. Appellant was disenrolled for a period extending between November 30, 2024 and February 1, 2025. Prior to his disenrollment, Appellant had been receiving 32 hours per week of HHA hours. An in-person functional assessment performed by a nurse in Appellant's home in February 2025, reduced the total time to 13 hours after applying the functional findings to the standard time-for-task tool.

In the subject PA request, Appellant seeks 32 hours per week. A second in-person functional assessment was performed in Appellant's home on July 1, 2025. Using that assessment and applying the time-for-task tool, CCA authorized 17.5 hours per week of HHA hours.

The CCA representatives testified that the HHA Medical Necessity Guidelines at criteria #4 direct CCA to conduct a functional assessment of the member and apply the standard time-for-task tool to determine the amount of HHA hours that are medically necessary. According to the CCA representatives, the functional assessments performed in both February and July 2025 found that Appellant is independent with all ADLs except for bathing and grooming. CCA submitted a copy of the completed time-for-task tool showing times allowed and comments taken from the functional assessment of July 1, 2025 (Exhibit C).

According to the completed time-for-task tool, the range of time for bathing and grooming together is 2-7 hours per week. Appellant was said to need assistance, but was not totally dependent on assistance to complete the task. The time-for-task tool indicates: *[Appellant] has weakness and impaired balance, at risk for falls and requires assist to transfer in and out of the shower. [Appellant] needs assist with washing hard to reach areas* (Id). CCA authorized 5.5 hours per week to assist with bathing and grooming.

The range of time for medication assistance is 0.5 – 3.5 hours per week. Appellant was said to need assistance with medications, but was not totally dependent on assistance to complete the task. The time-for-task tool indicates: *[Appellant] has a med minder with alarm but states that*

the PC also reminds him (Id). CCA authorized 0.5 hours per week to assist with medication reminders.

According to the functional assessment, Appellant is dependent for his Instrumental Activities of Daily Living (IADLs). The tool indicates the range of time for assistance for a person who is dependent with: cooking and meal preparation is 1-10.5 hours per week; shopping is 0.5-1.5 hours per week; laundry is 0.5-2 hours per week; and housekeeping is 0.5-1 hour per week (Id). CCA allowed the maximum time for assistance for each IADL except for cooking/meal prep for which 7 hours per week was allowed. CCA explained that Appellant's functional limitation affecting his ability to perform this task is based on his inability to stand without holding his cane; therefore, CCA concluded Appellant could participate in meal preparation that would not require standing.

Appellant appeared on his own behalf and testified that he lives alone and several years ago he suffered a major stroke. Appellant asserted that he needs more HHA time. Appellant complained that the functional assessment performed in February 2025 was lacking insofar as the nurse was rushed and only spent a couple of minutes with him. According to Appellant, the nurse told him that she had to leave to pick up her child. Upon questioning by the hearing officer about the adequacy of the second functional assessment performed in July 2025, Appellant stated that he thought this assessment was done properly. Appellant stated that the 2nd assessing nurse spent time with him, asked him questions and saw what he needs.

Appellant submitted a one-page type-written letter along with his Fair Hearing Request. The letter is dated May 5, 2025 and is signed by a nurse practitioner (Exhibit A). In this letter, the NP asserts that Appellant requires assistance with all ADLs. The hearing officer asked CCA to respond to this letter. The CCA representatives testified that the NP's letter is not consistent with either of the two in-person nurses' assessments which both independently found Appellant to be independent with all of his ADLs except for bathing/grooming.

Findings of Fact

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

1. Appellant was first enrolled in the CCA One Care program in July 2017.
2. Appellant was disenrolled for a period extending between November 30, 2024 and February 1, 2025.
3. Appellant lives alone and several years ago he suffered a major stroke.
4. Prior to his disenrollment, Appellant had been receiving 32 hours per week of HHA hours.

5. An in-person functional assessment performed by a nurse in Appellant's home in February 2025, reduced the total time to 13 hours after applying the functional findings to the standard time-for-task tool.
6. In the subject PA request, Appellant seeks 32 hours per week.
7. A second in-person functional assessment was performed in Appellant's home on July 1, 2025.
8. Using that assessment and applying the time-for-task tool, CCA authorized 17.5 hours per week of HHA hours.
9. The functional assessments performed in both February and July 2025 found that Appellant is independent with all ADLs except for bathing and grooming.
10. CCA submitted a copy of the completed time-for-task tool showing times allowed and comments taken from the functional assessment of July 1, 2025 (Exhibit C).
11. According to the completed time-for-task tool, the range of time for bathing and grooming together is 2-7 hours per week.
12. Appellant was said to need assistance, but was not totally dependent on assistance, to complete the task of bathing/grooming.
13. The time-for-task tool indicates: *[Appellant] has weakness and impaired balance, at risk for falls and requires assist to transfer in and out of the shower. [Appellant] needs assist with washing hard to reach areas* (Id).
14. CCA authorized 5.5 hours to assist with bathing and grooming.
15. The range of time for medication assistance is 0.5 – 3.5 hours per week.
16. Appellant was said to need assistance with medications, but was not totally dependent on assistance to complete the task.
17. The time-for-task tool indicates: *[Appellant] has a med minder with alarm but states that the PC also reminds him* (Id).
18. CCA authorized 0.5 hours to assist with medication reminders.
19. According to the July 2025 functional assessment, Appellant is dependent for his

Instrumental Activities of Daily Living (IADLs).

20. The tool indicates the range of time for assistance for a person who is dependent with: cooking and meal preparation is 1-10.5 hours per week; shopping is 0.5-1.5 hours per week; laundry is 0.5-2 hours per week; and housekeeping is 0.5-1 hour per week (Id).
21. CCA allowed the maximum time for assistance for each IADL except for cooking/meal prep for which 7 hours per week was allowed.
22. Appellant's functional limitation affecting his ability to perform cooking and meal prep arises from his inability to stand without holding his cane.
23. CCA concluded Appellant could participate in meal preparation that would not require standing.
24. The functional assessment performed in February 2025 was lacking insofar as the nurse was rushed and only spent a couple of minutes with Appellant.
25. The second functional assessment performed in July 2025 was done properly insofar as the nurse spent time with Appellant, asked him questions and saw what he needs.
26. A one-page type-written letter dated May 5, 2025 and signed by a nurse practitioner asserts that Appellant requires assistance with all ADLs (Exhibit A).
27. The NP's letter is not consistent with either of the two in-person nurses' assessments which both independently found Appellant to be independent with all of his ADLs except for bathing/grooming.

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 his burden.

MassHealth's representative, CCA, followed the Medical Necessity Guidelines for HHA Services by conducting a professional functional assessment and applying the findings therein to the standard time-for-task tool relative to HHA services. The times authorized by CCA for each specific task for which Appellant was found to need assistance were well within the ranges set forth by the tool. CCA awarded the maximum time indicated by the tool for assistance with each IADL except for cooking and meal preparation. CCA's authorization of 7 hours for assistance with cooking/meal preparation is consistent with the functional finding that

Appellant could participate in aspects of the activity which would not require him to stand. CCA's authorizations for time under bathing/grooming and medication assistance are also reasonably grounded in the functional findings expressed in the comments in the tool indicating that Appellant requires assistance with balance and with some, but not all, bathing tasks and only additional verbal reminders to access his own medications.

At hearing Appellant offered no specific challenges to the determinations based on the time-for-task tool. He also did not dispute the two assessment findings about which ADLs and IADLs require HHA assistance. Consequently, Appellant also failed to support the assertions in the NP's letter which were directly contradicted by two independently-performed in-person nurse assessments. This record does not provide any reasonable basis to disturb the action of MassHealth's agent, CCA.

For the foregoing reasons, the appeal is DENIED.

Order for MassHealth's Agent, CCA

Remove AID PENDING status and proceed with determination based on the assessment of July 1, 2025.

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: Commonwealth Care Alliance SCO, Attn: Nayelis Guerrero, 30 Winter Street, Boston, MA 02108