

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2508009
Decision Date:	8/29/2025	Hearing Date:	07/01/2025
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:



Appearance for MassHealth:

Elizabeth Cruz



*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:	Community Eligibility
Decision Date:	8/29/2025	Hearing Date:	07/01/2025
MassHealth's Rep.:	Elizabeth Cruz	Appellant's Rep.:	██████
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 notice dated May 8, 2025, MassHealth approved Appellant for MassHealth Standard benefits effective April 28, 2025 (see 130 CMR and [Exhibit A](#)). Appellant filed this appeal in a timely manner on May 21, 2025 seeking an earlier start date (see 130 CMR 610.015(B) and [Exhibit A](#)). Determination of a start date constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth approved Appellant for MassHealth Standard benefits effective April 28, 2025.

Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it started Appellant's Standard benefits on April 28, 2025.

Summary of Evidence

Both parties appeared by telephone.

The MassHealth representative testified that Appellant had been receiving MassHealth benefits when a Job Update form was sent to him by mail to complete and return to Masshealth. The form was due on or before February 28, 2025. When the form was not received by the due date, MassHealth issued a notice to Appellant dated March 6, 2025 informing him that his MassHealth benefits would terminate on March 30, 2025. Appellant eventually filed the completed form on May 8, 2025. Masshealth was able to determine that Appellant was eligible for Masshealth Standard benefits effective April 28, 2025 which is ten days prior to the receipt of the completed job update form.

Appellant was represented by his mother who testified that she has been having a lot of problems with her mail delivery over the past year. Appellant's mother testified that she did not receive the requested job update form and received the termination notice late when a neighbor brought it over with a bunch of other mail.

Appellant's mother testified that Appellant went to the Emergency Room on April 25, 2025 and has 2 unpaid bills for ER services. Appellant's mother asked for Appellant's Standard benefits to start on April 25, 2025 to cover the outstanding ER bills.

Findings of Fact

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

1. Appellant had been receiving MassHealth benefits when a Job Update form was sent to him by mail to complete and return to Masshealth.
2. The form was due on or before February 28, 2025.
3. When the form was not received by the due date, MassHealth issued a notice to Appellant dated March 6, 2025 informing him that his MassHealth benefits would terminate on March 30, 2025.
4. Appellant went to the Emergency Room on April 25, 2025 and has 2 unpaid bills for ER services.
5. Appellant eventually filed the completed form on May 8, 2025.
6. Masshealth was able to determine that Appellant was eligible for Masshealth Standard

benefits effective April 28, 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)). Appellant has not met his burden.

Determination of a start date for MassHealth Standard is controlled by the following regulations:

130 CMR 505.002(P) Medical Coverage Date.

1. The medical coverage date for MassHealth Standard is described at 130 CMR 502.006: Coverage Dates, except as described at 130 CMR 505.002(P)(2).
2. Provisional eligibility is described in 130 CMR 502.003(E): Provisional Eligibility.

130 CMR 502.006(A)(2)(d) states: (emphasis and bracketed qualifications supplied):

For individuals denied for failure to provide verification of requested information who then provide requested verifications or report changes after the denial, the start date of coverage is described in 130 CMR 502.006(A)(2)(d)1. and 2.

1. For individuals who are pregnant or younger than 19 years old
 - a. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and may be retroactive to the first day of the third calendar month before the received date of the verifications, except as specified in 130 CMR 502.006(C).
 - b. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the verifications and coverage begins ten days prior to the received date of the verifications, except as specified in 130 CMR 502.006.
2. ***For all other individuals, coverage will begin ten days prior to the date of receipt of all requested verifications or a reported change,*** except as specified in 130 CMR 502.003(D)(2)(d) [concerning the need to file a new application if missing

verification are filed more than a year after filing the application or renewal form] and 502.006(C) [concerning the start date for Medicare Premiums and Premium Assistance payments after missing verifications are filed].

This matter does not involve provisional coverage or a member who was pregnant; therefore 130 CMR 502.006(A)(2)(d)(2) applies. Neither of the two exceptions concerning Medicare premiums or Premium Assistance payments are at issue. Accordingly, Appellant's benefits were to start ten days prior to May 8, 2025, the day Appellant provided MassHealth with the completed job update form. This date would be April 28, 2025, the date MassHealth granted.

On this record, there is no basis in fact or law to disturb MassHealth's action. The 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.

Kenneth Brodzinski
Hearing Officer
Board of Hearings

cc:

[REDACTED]

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290