

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2508446
Decision Date:	7/7/2025	Hearing Date:	07/01/2025
Hearing Officer:	Alexandra Shube		

Appearances for Appellant:



Appearance for MassHealth:

Via telephone:

Katina Dean, Transportation



*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:	Transportation
Decision Date:	7/7/2025	Hearing Date:	07/01/2025
MassHealth's Rep.:	Katina Dean	Appellant's Reps.:	Daughter; Social Worker; Pro se
Hearing Location:	Taunton MassHealth Enrollment Center, Remote	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 26, 2025, MassHealth denied the appellant's request for MassHealth transportation benefits because MassHealth determined that the adult day health center provides its own transportation (Exhibit 1). The appellant filed this appeal in a timely manner on June 2, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant's provider's request for transportation (PT-1).

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 407.411, in denying the appellant's PT-1.

Summary of Evidence

All parties appeared at hearing via telephone. The MassHealth representative testified as follows: MassHealth received a PT-1 on behalf of the appellant requesting transportation to her adult day health program. On May 26, 2025, MassHealth denied the appellant's provider's request for transportation because transportation to adult day health is a noncovered service and the adult day health program is contracted to provide its own transportation. The exception in the regulation is when transportation is arranged by special contract with the MassHealth Adult Day Health Program, but the appellant's adult day program has no such special contract.

The appellant appeared at hearing along with her a daughter and a social worker from her adult day health program. They explained that the appellant's daughter, who typically drives the appellant to her program, is currently pregnant and on bed rest. They are looking for temporary transportation until the appellant's daughter gives birth and is cleared by her doctor. The facility offers transportation; however, the appellant moved and is no longer in the facility's catchment area. As a courtesy, the facility's transportation has been meeting the appellant's daughter partway, but she can't do that now that she is on bed rest. They don't want to disrupt the appellant's schedule and her continued participation in the adult day health program is important for her sense of community and belonging.

Findings of Fact

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

1. MassHealth received a PT-1 on behalf of the appellant requesting transportation to her adult day health program (Testimony and Exhibit 5).
2. On May 26, 2025, MassHealth denied the appellant's provider's request for transportation because the adult day health program provides its own transportation (Testimony and Exhibit 1).
3. On June 2, 2025, the appellant timely appealed the denial notice (Exhibit 2).
4. Transportation to adult day health programs is a noncovered service by MassHealth (Testimony).
5. The appellant's adult day health program does not have a special contract with the MassHealth Adult Day Health Program (Testimony).

Analysis and Conclusions of Law

MassHealth regulation 130 CMR 407.411 addresses noncovered services under transportation utilization requirements. Specifically, 130 CMR 407.411(B) states in relevant part that the following is an example of transportation services that **are not covered by MassHealth**:

(2) transportation of persons who are elderly or disabled to adult day health programs, except when arranged by special contract with the MassHealth Adult Day Health Program...

MassHealth correctly denied the appellant's request for transportation services. The request is for transportation to an adult day health program, which is not a covered service, except when arranged by special contract. There is no such special contract here and, unfortunately, no other applicable exception.

For these reasons, the MassHealth decision was correct, and 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.

Alexandra Shube
Hearing Officer
Board of Hearings

cc: [REDACTED]

MassHealth Representative: Katina Dean, MAXIMUS - Transportation, 1 Enterprise Drive, Suite 310, Quincy, MA 02169