

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2508840
Decision Date:	8/27/2025	Hearing Date:	07/18/2025
Hearing Officer:	Christine Therrien		

Appearance for Appellant:



Appearance for MassHealth:

Roberta Nolan, Tewksbury



*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:	LTC
Decision Date:	8/27/2025	Hearing Date:	07/18/2025
MassHealth's Rep.:	Roberta Nolan	Appellant's Rep.:	
Hearing Location:	Tewksbury MassHealth Enrollment Center Telephonic		

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 5/21/25, MassHealth approved the appellant's application for MassHealth Long-Term Care benefits beginning 12/1/24, with a patient-paid amount (PPA) of \$851.90 a month. (130 CMR 520.026 and Exhibit 1). The appellant filed this appeal in a timely manner on 6/10/25 challenging the start date of coverage. (130 CMR 610.015(B) and Exhibit 2). Determination of a start date is valid grounds for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth determined a MassHealth start-date of 12/1/24.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 516.006, in determining that the appellant's LTC benefits start date of 12/1/24.

Summary of Evidence

The MassHealth representative testified that the appellant is [REDACTED] and was admitted to the nursing facility on [REDACTED]. The MassHealth representative testified that MassHealth received a Long-Term Care (LTC) application on Monday, 3/3/25, requesting a start date of 11/18/24. The MassHealth representative testified that the application was approved for LTC benefits on 5/21/25 with a coverage start date of 12/1/24.

The appellant's representative is disputing the date the application was received by MassHealth. The appellant's representative testified that the application was mailed to MassHealth and was supposed to be delivered on 2/28/25, but was not delivered until Saturday, 3/1/25.

The MassHealth representative testified that the start date would not be different if the application were received on 3/1/25, since the start date cannot go back more than the first day of the third month before it was received, so receipt of the application on March 1st versus March 3rd would still give a start date of December, not November, as the appellant is seeking.

Findings of Fact

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

1. The appellant is [REDACTED] and was admitted to the nursing facility on [REDACTED]
2. MassHealth received an LTC application on Monday, 3/3/25, requesting a start date of 11/18/24.
3. The application was approved for LTC benefits on 5/21/25 with a coverage start date of 12/1/24.
4. The appellant's application was mailed to MassHealth and was delivered on Saturday, 3/1/25.

Analysis and Conclusions of Law

MassHealth application dates determine when benefits begin. 130 CMR 516.001(2): Application for Benefits defines how the application date is determined. 130 CMR 516.001(2)(a) says "[t]he date of application is the date the application is received by the MassHealth agency.

The appellant's application for LTC benefits was delivered on Saturday, 3/1/25. MassHealth received the application on Monday, 3/3/25, because MassHealth is not open on the weekend. 130 CMR 516.001 is explicit in that the application date is the date it is received by the MassHealth agency. The date an application is supposed to be delivered is irrelevant, as MassHealth determines an application date as the date it is received. A mailed application that is sitting in the

agency mailroom on a non-business day, Sunday, 3/1/25, is not marked as received until the next business day. It would not alter the coverage start date whether the application was received on 3/1/25 or 3/3/25.

There is no dispute that the application was not received by MassHealth on 2/28/25.

130 CMR 516.006(2) states that “[t]he begin date of MassHealth Standard, Family Assistance, or Limited coverage may be retroactive to the first day of the third calendar month before the month of application, if covered medical services were received during such period, and the applicant or member would have been eligible at the time services were provided.” Therefore, even if the application was deemed to have been received on 3/1/25, the start date would not change. MassHealth was correct in determining the controlling application date; 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.

Christine Therrien
Hearing Officer
Board of Hearings



cc: MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center