

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2509432
Decision Date:	09/12/2025	Hearing Date:	July 23, 2025
Hearing Officer:	Stanley Kallianidis		

Appellant Representative:

Pro Se

MassHealth Representative:

Steven Prattico, Springfield MEC



*Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, 6th floor
Quincy, MA 02171*

APPEAL DECISION

Appeal Decision:	Denied	Issue:	Medicare Savings Program
Decision Date:	09/12/2025	Hearing Date:	July 23, 2025
MassHealth Rep.:	Steven Prattico	Appellant Rep.:	██████
Hearing Location:	Telephonic	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

The appellant received a notice dated April 25, 2025 stating that she was eligible for the Medicare Savings Program (MSP) with a QMB benefit start date of April 1, 2025 (Exhibit 1). The appellant filed this appeal timely on June 23, 2025 on the start date of the reimbursement of her Medicare Part B premium (See 130 CMR 610.015(B) and Exhibit 2). A dispute over the amount of assistance is valid grounds for appeal (130 CMR 610.032).

On June 27, 2025, a hearing notice was sent to the parties (Exhibit 3).

Action Taken by MassHealth

The appellant was determined to be eligible for a QMB benefit which reimbursed her Medicare Part B premium and other costs beginning April 1, 2025.

Issue

May the appellant qualify for payment of her Medicare Part B premium prior to the date established by MassHealth?

Summary of Evidence

The MassHealth representative testified that the appellant, an adult over 19 years of age, is a CommonHealth member with a QMB benefit that began on April 1, 2025. The appellant, who renewed her CommonHealth coverage in May 2024, had her benefits terminated in November 2024 for past due premiums but were reinstated following payment of these premiums with no gap in coverage. Her QMB benefit, which pays her Medicare Part B premium along with other health care costs, did not start until April 1, 2025 (Exhibit 1).

The appellant is a household of one person with Social Security monthly income of \$1,950.00 monthly. This income is 151% of the federal poverty level (FPL).

The MassHealth representative explained further that, according to 130 CMR 505.004, in order to be eligible for payment of Medicare Part B premiums, a CommonHealth household must have income of no more than 135%. By regulation therefore, the appellant, with an income of 151% of the FPL, is over the income standards for payment of her Medicare Part B premium. However, in April 2025, MassHealth changed its policy going forward allowing CommonHealth recipients QMB benefits with income at or below 190% FPL. This is in accordance with internal MassHealth policy and is included in an MSP Frequently Asked Questions document dated May 2025 (Exhibit 4).

The appellant testified that she would like to her Medicare Part B premium paid for in the period November 2024-March 2025. She stated that her income has not changed and questioned why her Medicare premiums were not paid for in the period in question.

Findings of Fact

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

1. The appellant, an adult over 19 years of age, is a CommonHealth member with a QMB benefit (testimony).
2. The appellant's Social Security monthly income of \$1,950.00 is 151% of the FPL (testimony).
3. The appellant had her CommonHealth benefits renewed in May 2024 and then terminated in November 2024 for past due premiums but were reinstated following payment of these premiums with no gap in coverage (Exhibit 4 and testimony).
4. The appellant's QMB benefit, which pays her Medicare Part B premium along with other health care costs, did not start until April 1, 2025 (Exhibit 1).

5. According to an internal MassHealth policy that is included in an MSP Frequently Asked Questions document dated May 2025, MassHealth changed its MSP eligibility policy going forward allowing CommonHealth recipients QMB benefits with income at or below 190% FPL and SLMB benefits below 225% (Exhibit 4).

Analysis and Conclusions of Law

The following are MassHealth coverage types as outlined at 130 CMR 505.001:

(1) MassHealth Standard – for people who are pregnant, children, parents and caretaker relatives, young adults, disabled individuals, certain persons who are HIV positive, individuals with breast or cervical cancer, independent foster care adolescents, Department of Mental Health (DMH) members, and medically frail as such term is defined in 130 CMR 505.008(F);

(2) MassHealth CommonHealth – for disabled adults, disabled young adults, and disabled children who are not eligible for MassHealth Standard;

(3) MassHealth CarePlus – for adults 21 through 64 years of age who are not eligible for MassHealth Standard;

(4) MassHealth Family Assistance – for children, young adults, certain noncitizens, and persons who are HIV positive who are not eligible for MassHealth Standard, MassHealth CommonHealth, or MassHealth CarePlus;

(5) MassHealth Limited – for certain lawfully present immigrants as described in 130 CMR 504.003(A): Lawfully Present Immigrants, nonqualified PRUCOLs, and other noncitizens as described in 130 CMR 504.003: Immigrants; and

(6) MassHealth Medicare Savings Programs (MSP, also called Senior Buy-in and Buy-in) – for certain Medicare beneficiaries.

130 CMR 505.004 (L) Medicare Premium Payment for CommonHealth recipients.

(1) The MassHealth agency, in accordance with the Medicare Savings Program as described in *130 CMR 519: Medicare Savings Program (MSP) – Qualified Medicare Beneficiaries (QMB) and 519.011: Medicare Saving Program (MSP) – Specified Low Income Medicare Beneficiaries and Qualifying Individuals* also pays the cost of the monthly Medicare Part B premium on behalf of members who meet the requirements of 130 CMR 505.004 and who have modified adjusted gross income of the MassHealth Disabled Adult household that is less than or equal to 135% of the FPL.

In this case, I have found that the appellant has been a CommonHealth member since at least May 2024 when she was renewed for benefits. The appellant's monthly income includes a Social Security benefit of \$1,950.00, which is 151% of the FPL. Her QMB benefit, which pays her Medicare Part B premium along with other health care costs, did not start until April 1, 2025.

The appellant is seeking to have her Medicare Part B premium paid for in the period November 2024-March 2025 through this appeal.

In accordance with the regulations cited above however, as a CommonHealth member, the appellant's income would have to have been at or below 135% in order to have her Medicare Premium paid for. The appellant's income exceeds this standard.

The new MSP eligibility policy going which now allows CommonHealth recipients QMB benefits with income at or below 190% FPL and SLMB benefits below 225%, did not go into effect until May 2025. Accordingly, the appellant is not eligible for payment of her Medicare premium from November 2024-March 2025.

The 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.

Stanley Kallianidis
Hearing Officer
Board of Hearings

cc:

Springfield MEC