

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2510369
Decision Date:	8/29/2025	Hearing Date:	08/11/2025
Hearing Officer:	Mariah Burns	Record Open:	08/22/2025

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Carolyn Meredith, Springfield MassHealth
Enrollment Center



*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:	Approved	Issue:	Community Eligibility; Under 65; Residency
Decision Date:	8/29/2025	Hearing Date:	08/11/2025
MassHealth's Rep.:	Carolyn Meredith	Appellant's Rep.:	Pro se
Hearing Location:	Telephone (Springfield)	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 July 7, 2025, MassHealth denied the appellant's renewal application for MassHealth benefits for failure to provide proof of Massachusetts residency. *See* 130 CMR 503.002 and Exhibit 1. The appellant filed this appeal in a timely manner on July 14, 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 renewal application for MassHealth benefits.

Issue

The appeal issue is whether MassHealth was correct in denying the appellant's renewal application for benefits for failure to provide her proof of Massachusetts residency.

Summary of Evidence

The appellant is an adult under the age of 65 who resides in a household of one. MassHealth was represented by a worker from the Springfield MassHealth Enrollment Center. All parties appeared at the hearing by telephone. The following is a summary of the testimony and evidence provided:

Prior to the notice at issue, the appellant received MassHealth CarePlus benefits. On March 12, 2025, the appellant submitted a renewal application, and on that day, MassHealth sent a request for information for proof of income and Massachusetts residency. The due date for the request was June 10, 2025. MassHealth received income verification by phone on July 7, 2025, but previously on July 1, the appellant submitted an electric bill from January. That did not satisfy the verification, as it was not a bill within the previous 60 days. Based on that, on July 7, 2025, MassHealth issued a notice denying the appellant's renewal application. For reasons that were not testified to at the hearing, the appellant's CarePlus benefits appear to have been terminated on July 3, 2025.

The appellant testified that she has lived at her current address in Massachusetts, uninterrupted, for at least the last three years. She reported that she recently visited a provider and received a bill for that appointment. The record was kept open until August 15, 2025, for the appellant to submit a bill that would satisfy the proof of residency requirement, and until August 22, 2025, for MassHealth to review and respond. As of the writing of this decision, the appellant has not submitted any such proof to the Board of Hearings.

Findings of Fact

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

1. The appellant is an adult under the age of 65 who resides in a household of one and who, prior to the notice at issue, was a recipient of MassHealth CarePlus benefits. Exhibit 4, Testimony.
2. On March 12, 2025, MassHealth sent a request for information notifying the appellant of her need to verify her Massachusetts residency with a due date of June 10, 2025. Testimony.
3. The appellant did not send in that proof of residency, and on July 7, 2025, MassHealth issued a notice denying the appellant's renewal application for benefits. Exhibit 1, Testimony. Her MassHealth CarePlus benefits were terminated on July 3, 2025. Exhibit 4.
4. The appellant filed a timely request for fair hearing on July 14, 2025. Exhibit 2.
5. The appellant currently resides in the Commonwealth of Massachusetts and has lived here for at least three years. Testimony.

Analysis and Conclusions of Law

MassHealth is responsible for the administration and delivery of relevant services to eligible low- and moderate-income individuals, couples, and families. 130 CMR 501.002(A). As a condition of eligibility, “an applicant must be a resident of the Commonwealth of Massachusetts.” 130 CMR 503.002. An individual’s residency is confirmed in the following manner:

(E) (1) The individual's residency is considered verified if the individual has attested to Massachusetts residency and the residency has been confirmed by electronic data matching with federal or state agencies or information services.

(2) If residency cannot be verified through electronic data matching or there is conflicting information, the MassHealth agency may require documentation to validate residency.

(F) Acceptable proof of Massachusetts residency includes the following, as well as any other verification allowed as determined by the MassHealth agency:

(1) copy of deed and record of most recent mortgage payment (if mortgage is paid in full, provide a copy of property tax bill from the most recent year);

(2) current utility bill or work order dated within the past 60 days;

(3) statement from a homeless shelter or homeless service provider;

(4) school records (if school is private, additional documentation may be requested);

(5) nursery school or daycare records (if school is private, additional documentation may be requested);

(6) Section 8 agreement;

(7) homeowner’s insurance agreement;

(8) proof of enrollment of custodial dependent in public school;

(9) copy of lease and record of most recent rent payment; or

(10) affidavit supporting residency signed under pains and penalties of perjury that states the individual is not visiting Massachusetts for personal pleasure or to receive medical care in a setting other than a nursing facility.

130 CMR 503.002(E)-(F). MassHealth members are required to “cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility...” 130 CMR 501.010(A).

An appellant bears the burden of proof at fair hearings “to demonstrate the invalidity of the administrative determination.” *Andrews v. Division of Medical Assistance*, 68 Mass. App. Ct. 228, 231 (2006). The fair hearing decision, established by a preponderance of evidence, is based upon “evidence, testimony, materials, and legal rules, presented at hearing, including the MassHealth agency’s interpretation of its rules, policies and regulations.” Further, “[t]he effective date of any

adjustment to the appellant's eligibility status is the date on which all eligibility conditions were met, regardless of when the supporting evidence was submitted." 130 CMR 610.071(A)(2).

In this case, although the appellant failed to submit her proof of residency in accordance with the timeline set by the March 12, 2025, request for information, she credibly testified, under oath, that she is a resident of Massachusetts and has been for at least three years. Although she did not provide the documentary proof of her residency, I accept her sworn testimony as sufficient evidence. Therefore, although I do not find that the July 7, 2025, notice was technically issued in error, I do find that the appellant met the conditions for MassHealth eligibility on the date that her benefits were terminated, and she properly appealed the denial of her renewal application, preserving the issue. For those reasons, and pursuant to 130 CMR 610.071(A)(2), I find that the appellant is eligible for MassHealth CarePlus benefits both prospectively and retroactive to the date of termination.

For the foregoing reasons, the appeal is hereby APPROVED.

Order for MassHealth

Approve the appellant's MassHealth CarePlus benefits prospectively and retroactive to the termination date of July 3, 2025.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

Mariah Burns
Hearing Officer
Board of Hearings

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104