

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2510575
Decision Date:	11/25/2025	Hearing Date:	8/21/2025
Hearing Officer:	Cynthia Kopka	Record Open to:	11/14/2025

Appearance for Appellant:



Appearance for MassHealth:

Jennifer Raymond, Taunton MEC



*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, under 65, income
Decision Date:	11/25/2025	Hearing Date:	8/21/2025
MassHealth's Rep.:	Jennifer Raymond	Appellant's Rep.:	Pro se
Hearing Location:	Taunton (virtual)	Aid Pending:	Yes

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

By notice dated June 16, 2025, MassHealth notified Appellant that his MassHealth CarePlus benefit would terminate on July 31, 2025 due to income. Exhibit 1. Appellant filed a timely request for hearing on July 17, 2025 and was eligible to retain benefits pending the outcome of the appeal. Exhibit 2. 130 CMR 610.015(B), 130 CMR 610.036. Termination of assistance is a valid basis for appeal. 130 CMR 610.032.

Action Taken by MassHealth

MassHealth notified Appellant that his MassHealth CarePlus benefit would terminate on July 31, 2025 due to income.

Issue

The appeal issue is whether MassHealth was correct in determining that Appellant's income was too high to qualify.

Summary of Evidence

The MassHealth representative appeared by phone and testified as follows. Appellant is under the age of 65. Appellant had been receiving MassHealth CarePlus with no reported income and in a household of one. On May 22, 2025, MassHealth sent Appellant a job update form to complete and return. MassHealth received the completed form. At this time, Appellant's spouse was added to the household. The documents submitted verified that Appellant's gross income was \$2,800 biweekly. Appellant's spouse had no income. MassHealth calculated the gross monthly income of \$6,067.60. This income was calculated to be 268.03% of the federal poverty level (FPL) for a household size of 3. Exhibit 1. On June 16, 2025, MassHealth notified Appellant that the CarePlus benefit would end effective July 31, 2025. Exhibit 1. On June 17, 2025, MassHealth notified that he did not qualify for benefits due to the calculation of the monthly income. *Id.* Appellant was eligible for a subsidized Health Connector plan. Appellant's spouse was eligible for MassHealth Standard through the Department of Transitional Assistance (DTA).

Appellant testified that his net income is only \$2,250 biweekly. Appellant's spouse was [REDACTED] pregnant at the time of hearing. Appellant's spouse has a medical condition which made her pregnancy high risk. Appellant's spouse was due to deliver her baby via Caesarean section in the following month. Though Appellant did not indicate on his fair hearing request form that he wanted aid pending protection of his CarePlus benefit, he requested the protection at hearing. The Board of Hearings (BOH) added the CarePlus protection retroactively to Appellant's termination date.

The hearing record was held open through September 26, 2025 to allow Appellant to report the birth of his child and update income if needed. Exhibit 4. On September 23, 2025, Appellant reported that his child had been born and asked for an extension of the record open to update his income, as he would be applying for parental leave benefits. Exhibit 5. Appellant provided the record of birth on September 30, 2025. *Id.* On October 30, 2025, MassHealth reported that the child was added to the case and was eligible for MassHealth Standard. *Id.*

On November 5, 2025, Appellant reported that his weekly gross income changed to \$845.87 with parental leave. *Id.* Appellant provided a screenshot of the deposit information in lieu of a paystub. *Id.* MassHealth requested that Appellant answer the following questions so that income may be updated in the system:

- Date Appellant started receiving FMLA income;
- Whether the FMLA income was through work or PFML through the state;
- In the event it is PFML, will Appellant return to the same job; and
- Appellant's estimate of his yearly income in 2025.

Id. The hearing record was held open through November 14, 2025 for Appellant to provide the answers. *Id.* Appellant did not provide further response.

Findings of Fact

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

1. Appellant is in a household of three and under the age of 65.
2. Appellant's past gross income is \$2,800 biweekly. He reported that he currently receives leave pay of \$845.87 weekly.
3. In 2025, 100% of the monthly FPL for a household of three is \$2,221; 133% of the FPL is \$2,954.
4. On June 16, 2025, MassHealth notified Appellant that the CarePlus coverage would end on July 31, 2025. Exhibit 1.
5. Appellant filed this timely appeal on July 17, 2025 and was eligible to keep the previous benefit level pending the outcome of the appeal. Exhibit 2

Analysis and Conclusions of Law

MassHealth regulations at 130 CMR 505.000 *et seq.* explain the categorical requirements and financial standards that must be met to qualify for a MassHealth coverage type. The rules of financial responsibility and calculation of financial eligibility are detailed in 130 CMR 506.000: *Health Care Reform: MassHealth: Financial Requirements*. The MassHealth coverage types are:

- (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 – for certain Medicare beneficiaries.

130 CMR 505.001(A).

In order to establish eligibility for MassHealth benefits, applicants must meet both the categorical and financial requirements. MassHealth determines financial eligibility based on an applicant's modified adjusted gross income. MassHealth takes the countable income, which includes earned income as described in 130 CMR 506.003(A) and unearned income described in 130 CMR 506.003(B) and subtracts deductions described in 130 CMR 506.003(D). 130 CMR 506.007. Per 130 CMR 506.003, the regulatory definitions of earned income, unearned income and deductions are as follows:

(A) Earned Income.

(1) Earned income is the total amount of taxable compensation received for work or services performed less pretax deductions. Earned income may include wages, salaries, tips, commissions, and bonuses.

(2) Earned taxable income for the self-employed is the total amount of taxable annual income from self-employment after deducting annual business expenses listed or allowable on a U.S. Individual Tax Return. Self-employment income may be a profit or a loss.

(3) Earned income from S-Corporations or Partnerships is the total amount of taxable annual profit (or loss) after deducting business expenses listed or allowable on a U.S. Individual Tax Return.

(4) Seasonal income or other reasonably predictable future income is taxable income derived from an income source that may fluctuate during the year. Annual gross taxable income is divided by 12 to obtain a monthly taxable gross income with the following exception: if the applicant or member has a disabling illness or accident during or after the seasonal employment or other reasonably predictable future income period that prevents the person's continued or future employment, only current taxable income will be considered in the eligibility determination.

(B) Unearned Income.

(1) Unearned income is the total amount of taxable income that does not directly result from the individual's own labor after allowable deductions on the U.S. Individual Tax Return.

(2) Unearned income may include, but is not limited to, social security benefits, railroad retirement benefits, pensions, annuities, certain trusts, interest and dividend income, state or local tax refund for a tax you deducted in the previous year, and gross gambling income.

(C) Rental Income. Rental income is the total amount of taxable income less any deductions listed or allowable on an applicant's or member's U.S. Individual Tax

Return.

(D) Deductions. Under federal law, the following deductions are allowed when calculating MAGI countable income. Changes to federal law may impact the availability of these deductions:

- (1) educator expenses;
- (2) reservist/performance artist/fee-based government official expenses;
- (3) health savings account;
- (4) moving expenses, for the amount and populations allowed under federal law;
- (5) one-half self-employment tax;
- (6) self-employment retirement account;
- (7) penalty on early withdrawal of savings;
- (8) alimony paid to a former spouse for individuals with alimony agreements finalized on or before December 31, 2018. Alimony payments under separation or divorce agreements finalized after December 31, 2018, or pre-existing agreements modified after December 31, 2018, are not deductible;
- (9) individual retirement account (IRA);
- (10) student loan interest;
- (11) scholarships, awards, or fellowships used solely for educational purposes;
- and
- (12) other deductions described in the Tax Cut and Jobs Act of 2017, Public Law 115-97 for as long as those deductions are in effect under federal law.

An adult under the age of 64 is eligible for MassHealth's CarePlus benefit if their income at or below 133% of the FPL. 130 CMR 505.008(A)(2)(c). MassHealth determines monthly income by multiplying weekly income by 4.333. 130 CMR 506.007(A)(2)(c).

Here, Appellant's current gross weekly income is \$845.87. Multiplying this by 4.333 yields \$3,665.15 monthly income. This is higher than the 133% limit to qualify for MassHealth CarePlus. Accordingly, Appellant's income is too high for Appellant to be eligible for a MassHealth benefit. Appellant is eligible for a Health Connector plan. Appellant should provide MassHealth with the requested information to ensure that his Health Connector premium is calculated with the most current income information. Appellant can direct any questions about Health Connector plans to 1-877-MA-ENROLL (1-877-623-6765), or inquiries concerning Health Safety Net to 877-910-2100.

This appeal is denied.

Order for MassHealth

Remove aid pending.

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.

Cynthia Kopka
Hearing Officer
Board of Hearings

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780, 508-828-4616