

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



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| Appeal Decision: | Approved | Appeal Number: | 2510584 |
| Decision Date: | 10/27/2025 | Hearing Date: | August 14, 2025 |
| Hearing Officer: | Stanley M. Kallianidis | Record Open Date: | October 14, 2025 |

Appellant Representative:



MassHealth Representative:

Wilfred Colon, Quincy



*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

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|-------------------------|-----------------------|----------------------|-----------------|
| Appeal Decision: | Approved | Issue: | Verifications |
| Decision Date: | 10/27/2025 | Hearing Date: | August 14, 2025 |
| MassHealth Rep.: | Wilfred Colon, Quincy | | |

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 21, 2025, MassHealth denied the appellant's application for MassHealth benefits because MassHealth determined that the verification process had not yet been completed (see 130 CMR 515.008 and Exhibit 1). The appellant filed this appeal in a timely manner on July 17, 2025 (see 130 CMR 610.015 and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

On July 21, 2025, a hearing notice was sent to the parties (Exhibit 3).

Action Taken by MassHealth

MassHealth denied the appellant's application for MassHealth benefits.

Issue

Pursuant to 130 CMR 610.071, has the appellant provided MassHealth with the requested verifications as of the close of the hearing record so as to be entitled to a re-determination of benefits?

Summary of Evidence

The MassHealth representative testified that the appellant's April 7, 2025 application was denied due to a failure to provide timely verifications. A verification request was sent out to the appellant. Because all of the requested verifications were not submitted, a Notice of Denial was issued on May 21, 2025 (Exhibit 1). The missing verifications at issue were the appellant's health and life insurance, bank statements, annuity contract, investment account statements, trust documents, and nursing home documents (Exhibit 4).

The appellant's representative testified that he never received any verification request from MassHealth. He stated that he has since submitted all the requested verifications with the exception of the nursing home documents, as these are not yet available.

The MassHealth representative stated that he has not yet looked at the documents that were submitted.

The record was left open for 30 days for the MassHealth to review the documents that have been submitted and to request any additional verifications necessary for a determination of his eligibility for benefits. An additional 30 day period was allowed for the appellant to respond and submit additional verifications (Exhibit 5).

During the record-open period, the MassHealth representative indicated that he had received all documents other than the nursing home documents which included the screening and admission. The appellant's representative indicated that these documents were not yet available as the appellant was still on Medicare and requested additional time to provide these once they were made available (Exhibit 6).

Findings of Fact

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth on April 7, 2025 (Exhibit 4).
2. The appellant's application was denied due to a failure to provide verifications (Exhibit 1).
3. The missing verifications at issue were the appellant's health and life insurance, bank statements, annuity contract, investment account statements, trust documents, and nursing home documents (Exhibit 4).
4. The appellant's representative submitted all the requested documents to the satisfaction of the MassHealth representative with the exception of the nursing home documents (Exhibit 6).

5. At the close of the record open-period, the appellant indicated that because the appellant was still on Medicare Part A, his nursing facility could not provide the requested nursing home documents (Exhibit 6).

Analysis and Conclusions of Law

The applicant or member must cooperate with MassHealth in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of the MassHealth program including recovery (130 CMR 515.008(A)). If the requested information is not received, MassHealth benefits may be denied (130 CMR 516.001).

130 CMR 610.071 provides that evidence submitted at the hearing shall not be excluded. The date of eligibility is the date when the conditions of eligibility have been met, regardless of when the evidence was provided.

In the instant appeal, I have found that the appellant applied for MassHealth on April 7, 2025. The appellant's application was denied due to missing health and life insurance, bank statements, annuity contract, investment account statements, trust documents, and nursing home documents.

During the record-open period, the appellant submitted all the requested documents to the satisfaction of the MassHealth representative with the exception of the nursing home documents. The appellant indicated that because the appellant was still on Medicare Part A, his nursing facility could not provide the requested nursing home documents.

Based upon the regulations cited above, and where the appellant provided MassHealth with all the requested information that was available, I conclude that the appellant is entitled to a reopening of his application while his nursing home documents are pending with a new deadline for their submission and a redetermination of his eligibility.

The appeal is therefore approved.

Order for MassHealth

Reopen April 7, 2025 application and send out a new request for information (nursing home documents) with a 30-day time frame for submission. Determine appellant's eligibility for MassHealth following receipt of nursing home documents.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this notice, you should contact your local office. 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.

Stanley M. Kallianidis
Hearing Officer
Board of Hearings

cc:

Quincy MEC

