

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2510612
Decision Date:	11/17/2025	Hearing Date:	08/15/2025
Hearing Officer:	Kimberly Scanlon	Record Open to:	09/05/2025

Appearance for Appellant:



Appearance for MassHealth:

Victoria Ragbir, Charlestown 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:	Eligibility; Over 65; Long-term care; Coverage Start Date
Decision Date:	11/17/2025	Hearing Date:	08/15/2025
MassHealth's Rep.:	Victoria Ragbir	Appellant's Rep.:	[REDACTED]
Hearing Location:	Charlestown MassHealth Enrollment Center - Room 1 (Remote)	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

By a notice dated May 28, 2025, MassHealth approved the appellant for long-term care coverage beginning on July 31, 2024, and set his monthly patient-paid amount (PPA) at \$1,965.20. (Exhibit 1). The appellant filed a timely appeal on July 17, 2025. (130 CMR 610.015; Exhibit 2). Calculation of a PPA is a valid basis for appeal. (130 CMR 610.032). At the conclusion of the hearing the record was left open for a brief period for the appellant to submit additional evidence. (Exhibit 7).

Action Taken by MassHealth

MassHealth approved the appellant for long-term care benefits starting on July 31, 2024, and calculated his PPA at \$1,965.20.

Issue

The issue presented on appeal is whether MassHealth correctly determined the appellant's start date of July 31, 2024.

Summary of Evidence

The MassHealth representative appeared at hearing by telephone and testified that the appellant is over the age of [REDACTED] and he has been in a long-term care facility since [REDACTED] (Exhibit 6). The facility's requested start date is July 25, 2024. (Exhibit 6, p. 8). On May 28, 2025, MassHealth informed the appellant that after reviewing his long-term care application received on September 23, 2024, MassHealth determined that he qualifies for Standard benefits to cover his care in the facility starting on July 31, 2024, with a \$1,965.20 monthly PPA assessed, starting on July 1, 2024. (Exhibit 1). MassHealth calculated the PPA by taking the appellant's net Social Security/[REDACTED] income of \$2,038, less the allowable deduction of: \$72.80 for personal needs allowance (PNA). *Id.* MassHealth determined that the appellant's long-term care benefits could not start until July 31, 2024 because on the requested date of coverage, he had excess assets in the amount of \$3,293.60. Had the appellant used these funds to privately pay for his stay at the facility, these funds would have covered six days ($\$3,293.60 \div 564 = 5.83$), or from July 25 through July 30, 2024. (Exhibit 6, p. 1).

The appellant's representative appeared at the hearing by telephone. He did not dispute MassHealth's calculation of the PPA. He stated the appellant may have incurred medical and remedial care expenses between July 3, 2024 through July 25, 2024, which could adjust his start date of July 31, 2024. He has contacted the facility to determine whether the appellant incurred said expenses during that time period. The MassHealth representative stated that for allowable medical or remedial care expenses, there are certain criteria that must be met, i.e. the expenses must not be payable by a third party and must be for medical or remedial care only.

Following the hearing, the record was left open for the appellant's representative to submit additional documentation and for MassHealth to review submission. (Exhibit 7). The appellant submitted a letter from the facility indicating that he paid \$2,529 which was applied to: private Medicare copayments at \$204 per day from July 1, 2024 through July 3, 2024 amounting to \$564¹, an estimated PPA July 2024 amounting to \$1,965.20, and a notation that the facility started receiving the appellant's social security income in August 2024. (Exhibit 8, p. 4). The MassHealth representative subsequently responded that the documentation received for the total copayment amount of \$564 does not meet the deductible amount of \$8,971. (Exhibit 8, p. 1). The record was re-opened for a brief period to obtain additional information in writing from the appellant regarding an earlier start date and for MassHealth to review submission. (Exhibit 9, p. 1).

¹ It is unclear how the facility arrived at the amount of \$564.

MassHealth subsequently responded that it did not receive any further correspondence from the appellant regarding an earlier start date. (Exhibit 9, p. 1).

Findings of Fact

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

1. The appellant is over the age of [REDACTED] and he has been in a long-term care facility since [REDACTED].
2. On May 28, 2025, MassHealth notified the appellant that he was approved for long-term care services starting on July 31, 2024, with a PPA assessed.
3. MassHealth determined that the appellant's long-term care benefits could not start until July 31, 2024 because on the requested date of coverage, he had excess assets in the amount of \$3,293.60. Had the appellant used these funds to privately pay for his stay at the facility, these funds would have covered six days ($\$3,293.60 \div 564 = 5.83$), or from July 25 through July 30, 2024.
4. Following the hearing, the record was left open for the appellant to submit additional documentation and for MassHealth to review submission. The record was re-opened to obtain additional documentation from the appellant.
5. MassHealth subsequently responded that it did not receive any further correspondence from the appellant regarding an earlier start date.

Analysis and Conclusions of Law

The issue in this appeal is whether MassHealth correctly determined the appellant's coverage start date of July 31, 2024. The appellant argues that his start date should go back to July 3, 2024; MassHealth maintains that the appellant's start date is July 31, 2024. The purpose of Medicaid is to provide medical assistance to those "whose income and resources are insufficient to meet the costs of necessary medical services." (42 USC § 1396-1). An individual applying for MassHealth long-term care benefits must have countable assets below \$2,000. (130 CMR 520.003(A)). Countable assets include "assets to which the applicant or member or his or her spouse would be entitled whether or not these assets are actually received when failure to receive such assets results from the action or inaction of the applicant, member, spouse, or person acting on his or her behalf." (130 CMR 520.007).

If an applicant has assets above this threshold, the earliest eligibility start date is either:

(a) as of the date the applicant reduces his or her excess assets to the allowable asset limit without violating the transfer of resource provisions for nursing-facility residents at 130 CMR 520.019(F); or

(b) as of the date, described in 130 CMR 520.004(C), the applicant incurs medical bills that equal the amount of the excess assets and reduces the assets to the allowable asset limit within 30 days after the date of the notification of excess assets.

(130 CMR 520.004(A)(1)).

MassHealth presented undisputed evidence that on the day the appellant seeks coverage, he had excess assets totaling \$3,293.60. Applying 130 CMR 520.004(A)(1)(b), MassHealth determined that these assets would have paid for the appellant's nursing facility stay from July 25, 2024 through July 30, 2024. The appellant has not demonstrated that MassHealth erred in its determination here. The appellant was given an opportunity to submit documentation from the nursing facility, via an SC-1 form or private pay letter, requesting an earlier start date. The appellant submitted a letter from the facility that addresses various payments made by the appellant but does not request an earlier start date. Without evidence that the appellant has any additional medical bills, there is insufficient evidence to adjust the start date determined by MassHealth.

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.

Kimberly Scanlon
Hearing Officer
Board of Hearings

cc:

[REDACTED]

MassHealth Representative: Thelma Lizano, Charlestown MassHealth Enrollment Center, 529 Main Street, Suite 1M, Charlestown, MA 02129