

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



| | | | |
|-------------------------|---|-----------------------|-------------------------|
| Appeal Decision: | Approved in part; Denied in part; Dismissed in part | Appeal Number: | 2511243 |
| Decision Date: | 11/13/2025 | Hearing Dates: | 9/3/2025; 10/10/2025 |
| Hearing Officer: | Emily Sabo | | |

Appearance for Appellant:



Appearance for MassHealth:

Kelly Rayen, RN, Optum



*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 in part; Denied in part; Dismissed in part | Issue: | Prior Authorization; Personal Care Attendant (PCA) Services |
| Decision Date: | 11/13/2025 | Hearing Dates: | 9/3/2025; 10/10/2025 |
| MassHealth's Rep.: | Kelly Rayen, RN | Appellant's Rep.: | Mother |
| Hearing Location: | Quincy Harbor South (Telephone) | 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 June 27, 2025, MassHealth modified the Appellant's prior authorization request for personal care attendant (PCA) services. *See* 130 CMR 450.024(A), 130 CMR 422.410, and Exhibit 1. Specifically, MassHealth modified the Appellant's prior authorization request for PCA services from the requested 39 hours and 30 minutes weekly for 40.14 school weeks and 73 hours weekly for 12 vacation weeks to 24 hours and 15 minutes weekly for 40.14 school weeks and 62 hours weekly for 12 school vacation weeks for the service period of July 11, 2025, to July 10, 2026. *See* Exhibit 1. The Appellant's parent and representative filed this appeal in a timely manner on July 31, 2025. *See* 130 CMR 610.015(B) and Exhibit 2. Modification of assistance is valid grounds for appeal. *See* 130 CMR 610.032.

Action Taken by MassHealth

MassHealth modified the Appellant's prior authorization request for PCA services.

Issue

The appeal issue is whether MassHealth was acting within its discretion in modifying the Appellant's prior authorization request for PCA services.

Summary of Evidence

The hearing was conducted by telephone over two days. The Appellant, who is [REDACTED] was represented at hearing by his mother, who verified the Appellant's identity. A registered nurse and clinical appeals reviewer represented MassHealth at the hearing.

The MassHealth representative testified that the Appellant is blind and has cerebral palsy, seizures, and cognitive delay. The MassHealth representative testified that, during school weeks, the Appellant lives at the [REDACTED] Monday through Friday. The MassHealth representative testified that on June 5, 2025, the Appellant's personal care management (PCM) agency, [REDACTED] submitted a re-evaluation request to MassHealth for 39 hours and 30 minutes weekly for 40.14 school weeks and 73 hours weekly for 12 vacation weeks.

On June 27, 2025, MassHealth modified the prior authorization to 24 hours and 15 minutes weekly for 40.14 school weeks and 62 hours weekly for 12 school vacation weeks. The period of service is July 11, 2025, to July 10, 2026. MassHealth explained that it had adjusted the nighttime hours to reflect the 3 nights that the Appellant spends at home during school weeks. The MassHealth representative explained that the modifications were primarily based on eliminating duplicative time and accounting for time that the Appellant was at school and away from home. MassHealth otherwise modified the following areas:

- Transfers
 - School weeks
 - Vacation Weeks
- Repositioning
 - School Weeks
 - Vacation Weeks
- Passive Range of Motion (PROM) (lower extremities)¹
 - School Weeks
 - Vacation Weeks
- Grooming (nail care)
 - Both weeks
- Grooming (oral care)
 - School Weeks

¹ MassHealth did not modify the requested time for the upper extremities.

- Eating (meals)
 - School Weeks
- Eating (snacks)
 - School Weeks
 - Vacation Weeks
- Bladder Care
 - School Weeks
- Toileting (special transfers)
 - Both weeks
- Other Healthcare Needs
 - School Weeks

After testimony and additional discussion at hearing, MassHealth and the Appellant’s representative reached agreement on the following categories:

- Transfers
 - School weeks
 - Vacation Weeks
- Repositioning
 - School Weeks
 - Vacation Weeks
- Grooming (nail care)
 - Both weeks
- Grooming (oral care)
 - School Weeks
- Eating (meals)
 - School Weeks
- Bladder Care
 - School Weeks
- Toileting (special transfers)
 - Both weeks
- Other Healthcare Needs
 - School Weeks

The MassHealth representative agreed to authorize 5 minutes per day, 3 days per week for grooming (nail care) during school weeks and 5 minutes per day, 7 days per week during vacation weeks, for a total of 15 minutes weekly during school weeks and 35 minutes weekly during vacation weeks and the Appellant’s representative agreed to this.² The Appellant representative accepted

² [REDACTED] had requested 10 minutes, 3 times per week for school weeks (30 total minutes weekly) and 5 minutes, 7 times per week for vacation weeks (35 total minutes weekly). Exhibit 5 at 22, 51. MassHealth initially modified this to 5 minutes, once per week for both school and vacation weeks (5 total minutes weekly). *Id. at 2.*

MassHealth's modifications regarding transfers, repositioning, grooming (oral care), eating (meals), bladder care, toileting (special transfers), and other healthcare needs.

The two areas that remain in dispute after the hearing are PROM for the lower extremities and time for assistance with eating snacks.

PROM (lower extremities)

█ requested:

- For School Weeks³
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
- For Vacation Weeks⁴
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly

The MassHealth representative testified that MassHealth modified the time requested to 5 minutes per episode for both the right and left lower extremities but did not modify the number of times per day or days per week.⁵ The MassHealth representative testified that the letter from the Appellant's doctor last year indicated that 10 minutes per day, per lower extremity, was sufficient. The MassHealth representative stated that the Appellant would need to submit a letter of medical necessity before MassHealth would authorize any additional time.

The Appellant's representative testified that the Appellant's lower extremities are very tight and that the Appellant receives Botox injections in them to relax his muscles. The Appellant's representative testified that PROM on the Appellant's lower extremities takes at least 10 minutes per extremity, 3 times per day.

The record was held open until September 17, 2025, for the Appellant to submit a letter of medical

³ Exhibit 5 at 18.

⁴ Exhibit 5 at 48.

⁵ This comes to 45 minutes weekly for the lower extremity left and 45 minutes weekly for the lower extremity right during school weeks and 105 minutes weekly for the lower extremity left and 105 minutes weekly for the lower extremity right during vacation weeks.

necessity, which was timely received. The Appellant's doctor wrote that the Appellant has "spastic quadriplegic cerebral palsy, cortical visual impairment, epilepsy, intellectual disability, and autism in the context of neonatal intraventricular hemorrhage with post hemorrhagic hydrocephalus s/p VPS placement . . . It is recommended that [Appellant] receive regular stretching exercises for 10 minutes three times a day." Exhibit 7 at 1.

The record was held open until October 1, 2025, for MassHealth's response. The MassHealth representative wrote:

Passive range of motion is performed when a consumer is unable to move a body segment, and the caregiver moves it for the consumer. PROM is a task performed for bed bound or immobilized individuals and is done to avoid contractures. PROM helps with stiffness from contractures for an immobilized person. PROM does not increase or maintain functioning and does not strengthen a limb.

The appellant is approved for 4 minutes, three times daily for each upper extremity, a total of 8 minutes three times a day for upper extremities and 5 minutes, three times daily for each lower extremity, a total of 10 minutes three times a day for 3 days per week during the school week and 7 days er week during the vacation weeks. The approved time is 18 minutes total three times per day exceeding the recommended time by his Complex Care team.

After reviewing the letter, the requested additional time for assistance with Passive Range of Motion (PROM) remains as modified, 4 minutes 3 times per day for each upper extremity 3 days per week for school weeks and 7 days per week for vacation weeks and 5 minutes 3 times per day for each lower extremity for 3 days per week for school weeks and 7 days per week for vacation weeks. The appellant is currently approved for more time than is recommended by his Complex Care team.

Exhibit 6 at 1-2.

Eating (snacks)

█ request indicates that the Appellant is totally dependent for eating. The comments with the request state

Consumer is D w/ all feeding and drinking. D/t cognitive impairment consumer is unable to control food intake. All foods are cut into small pieces and d/t blindness, mother reports all food is loaded on to utensils for consumer and hand on hand A to bring all food and drink to mouth. Snacks are given twice daily to consumer w/ requires A w/ feeding. Mother reports consumer is spoon fed all drinks.

Exhibit 5 at 24. During school weeks, for assistance eating snacks, ██████ requested 10 minutes per episode, twice per day, 3 days per week; and for vacation weeks, 10 minutes per episode, twice per day, 7 days per week.⁶

MassHealth modified the time for snacks during school weeks to 5 minutes per episode, once per day, one day per week, and 5 minutes per episode, twice per day, two days per week, for a total of 25 minutes per week. MassHealth modified the time for snacks during vacation weeks to 5 minutes per episode, twice per day, 7 days per week, for a total of 70 minutes per week. The MassHealth representative testified that the time MassHealth authorized was just for the PCA's physical activity of putting a scoop of food on a spoon or fork and putting the utensil in the Appellant's mouth. The MassHealth representative testified that it likely involves 10-15 seconds per bite and that wait time/standby time is not covered. The MassHealth representative testified that 5 minutes per episode is what was approved last year for snacks.

The Appellant's representative testified that the Appellant's snack time is 30 minutes and that the Appellant's food needs to be cut into small pieces. The Appellant's representative testified that the Appellant also needs assistance with drinking, and that the PCA physically holds and squeezes the Appellant's sippy cup for him and also spoon feeds him water. The Appellant's representative testified that the Appellant's PCA is working the entire time. The Appellant's representative agreed to MassHealth's modification regarding the number of episodes per week for school weeks (5 total), but not the reduction to 5 minutes. She testified that 10 minutes is appropriate. The Appellant's representative testified that the Appellant will typically eat foods like yogurt, crackers, or fresh fruit as his snack. The Appellant's representative also testified that the Appellant has a number of behavioral issues where he will try and pull the PCA's hair or throw away the spoon.

Findings of Fact

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

1. The Appellant is ██████ and a MassHealth CommonHealth member (Testimony, Exhibit 4).
2. The Appellant is blind and has cerebral palsy, seizures, and cognitive delay. During school weeks, the Appellant lives at the ██████ Monday through Friday (Testimony, Exhibit 5).
3. On June 5, 2025, the Appellant's PCM agency, ██████ submitted a re-evaluation request for prior authorization for PCA services to MassHealth for 39 hours and 30 minutes weekly for 40.14 school weeks and 73 hours weekly for 12 vacation weeks (Testimony, Exhibit 5).

⁶ This comes to 60 minutes weekly for school weeks and 140 minutes weekly for vacation weeks.

4. By notice dated June 27, 2025, MassHealth modified the prior authorization to 24 hours and 15 minutes weekly for 40.14 school weeks and 62 hours weekly for 12 school vacation weeks (Testimony, Exhibit 1).
5. The dates of service for the prior authorization request are July 11, 2025, to July 10, 2026 (Testimony, Exhibit 1).
6. MassHealth made modifications related to PCA assistance with transfers, repositioning, PROM, grooming (nail and oral care), eating (meals and snacks), bladder care, toileting (special transfers), and other healthcare needs.
7. Through discussion at hearing, MassHealth agreed to authorize 5 minutes per day, 3 days per week for grooming (nail care) during school weeks and 5 minutes per day, 7 days per week during vacation weeks, for a total of 15 minutes weekly during school weeks and 35 minutes weekly during vacation weeks; the Appellant's representative agreed to this (Testimony).
8. Through discussion at hearing, the Appellant's representative agreed to MassHealth's modifications for transfers, repositioning, grooming (oral care), eating (meals), bladder care, toileting (special transfers), and other healthcare needs (Testimony).
9. For PROM (lower extremities), [REDACTED] requested:
 - For School Weeks
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
 - For Vacation Weeks
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly(Exhibit 5).
10. MassHealth modified the time for PROM lower extremities to 5 minutes per episode, which resulted in 45 minutes weekly for each lower extremity during school weeks and 105 minutes weekly for each lower extremity during vacation weeks (Testimony and Exhibits 1 & 5).
11. The record was held open and the Appellant submitted a letter from his treating physician

stating that the Appellant has “spastic quadriplegic cerebral palsy, cortical visual impairment, epilepsy, intellectual disability, and autism in the context of neonatal intraventricular hemorrhage with post hemorrhagic hydrocephalus s/p VPS placement . . . It is recommended that [Appellant] receive regular stretching exercises for 10 minutes three times a day” (Exhibit 7).

12. The Appellant is totally dependent for eating (Exhibit 5).
13. For assistance eating snacks, ██████ requested, on the Appellant’s behalf, 10 minutes per episode, twice per day, 3 days per week for school weeks, totaling 60 minutes weekly; and for vacation weeks, 10 minutes per episode, twice per day, 7 days per week, totaling 140 minutes weekly (Testimony, Exhibit 5).
14. MassHealth modified the time for assistance eating snacks during school weeks to 5 minutes per episode, once per day, one day per week, and 5 minutes per episode, twice per day, two days per week, for a total of 25 minutes per week. MassHealth modified the time for snacks during vacation weeks to 5 minutes per episode, twice per day, 7 days per week, for a total of 70 minutes per week (Testimony, Exhibits 1 & 5).
15. At the hearing, the Appellant’s representative agreed with MassHealth’s modification regarding the number of episodes per week for school weeks (5 total) for assistance eating snacks, but not with duration of assistance for each episode (Testimony).
16. The Appellant’s representative filed this appeal with the Board of Hearings in a timely manner on July 31, 2025 (Exhibit 2).
17. I take administrative notice of the MassHealth PCA Time-for-Task Guidelines.

Analysis and Conclusions of Law

MassHealth regulations about PCA services are found at 130 CMR 422.000 et seq.

130 CMR 422.402: Definitions

....

Activities of Daily Living (ADLs) — those specific activities described in 130 CMR 422.410(A) and in the Contract for Personal Care Management (PCM) Services. Such activities are performed by a personal care attendant (PCA) to physically assist a member with mobility, taking medications, bathing or grooming, dressing, passive range of motion exercises, eating, and toileting.

....

Activity Time — the actual amount of time spent by a PCA physically assisting the member with ADLs and Instrumental Activities of Daily Living (IADLs). Activity time is reported on the activity form.

....

Family Member — the spouse of the member, the parent of a minor member, including an adoptive parent, or any legally responsible relative.

....

Personal Care Attendant (PCA) — a person who meets the requirements of 130 CMR 422.404(A)(1) and who is hired by the member or surrogate to provide PCA services. In addition, for the sole purpose of M.G.L. c. 118E, §§ 70 through 75, a PCA is a person who is hired by the member or surrogate to provide PCA services through a senior care organization (SCO) contracting with the MassHealth agency pursuant to M.G.L. c. 118E, § 9D or a person who is hired by the member or surrogate to provide PCA services through an integrated care organization (ICO) contracting with the MassHealth agency pursuant to M.G.L. c. 118E, § 9F. Unless explicitly stated in 130 CMR 422.000, in the SCO's MassHealth contract, or in the ICO's MassHealth contract, no other provisions of 130 CMR 422.000 apply to any SCO, ICO, or PCA hired by any eligible MassHealth member through a SCO or ICO.

....

Personal Care Attendant Program (PCA Program) — a MassHealth program under which PCA services and associated Personal Care Management and Fiscal Intermediary functions are available to MassHealth members including, for the sole purpose of M.G.L. c. 118E, §§ 70 through 75, those services and functions when provided through a senior care organization (SCO) as defined in M.G.L. c. 118E, § 9D, or an integrated care organization (ICO) as defined in M.G.L. c. 118E § 9F. Unless explicitly stated in 130 CMR 422.000, the SCO's MassHealth contract, or the ICO's MassHealth contract, no other provisions of 130 CMR 422.000 apply to any SCO, ICO, or PCA hired by an eligible MassHealth member through a SCO or ICO.

....

Personal Care Attendant Services (PCA Services) — physical assistance with ADLs and IADLs provided to a member by a PCA in accordance with the member's authorized evaluation or reevaluation, service agreement, and 130 CMR 422.410.

Personal Care Management (PCM) Agency — a public or private agency or entity under contract with EOHHS to provide PCM functions in accordance with 130 CMR 422.000 and the PCM agency contract.

Personal Care Management (PCM) Functions — administrative functions provided by a PCM agency to a member in accordance with a contract with EOHHS, including, but not limited to, functions identified in the PCM agency contract and 130 CMR 422.419(A).

130 CMR 422.410: Activities of Daily Living and Instrumental Activities of Daily Living

(A) Activities of Daily Living (ADLs). Activities of daily living include the following categories of activities. Any number of activities within one category of activity is counted as one ADL:

- (1) mobility: physically assisting a member who has a mobility impairment that prevents unassisted transferring, walking, or use of prescribed durable medical equipment;
- (2) assistance with medications or other health-related needs: physically assisting a member to take medications prescribed by a physician that otherwise would be self administered;

- (3) bathing or grooming: physically assisting a member with bathing, personal hygiene, or grooming;
- (4) dressing: physically assisting a member to dress or undress;
- (5) passive range-of-motion exercises: physically assisting a member to perform range-of-motion exercises;
- (6) eating: physically assisting a member to eat. This can include assistance with tube feeding and special nutritional and dietary needs; and
- (7) toileting: physically assisting a member with bowel or bladder needs.

130 CMR 422.411: Covered Services

(A) MassHealth covers activity time performed by a PCA in providing assistance with ADLs and IADLs as described in 130 CMR 422.410, as specified in the evaluation described in 130 CMR 422.422(C) and (D), and as authorized by the MassHealth agency.

(B) MassHealth covers transitional living program services provided by an organization in accordance with 130 CMR 422.431 through 422.441 and the MassHealth agency's proposal requirements.

130 CMR 422.412: Noncovered Services

MassHealth does not cover any of the following as part of the PCA program or the transitional living program:

(A) social services, including, but not limited to, babysitting, respite care, vocational rehabilitation, sheltered workshop, educational services, recreational services, advocacy, and liaison services with other agencies;

(B) medical services available from other MassHealth providers, such as physician, pharmacy, or community health center services;

(C) assistance provided in the form of cueing, prompting, supervision, guiding, or coaching;

(D) PCA services provided to a member while the member is a resident of a nursing facility or other inpatient facility, or a resident of a provider-operated residential facility subject to state licensure, such as a group home;

(E) PCA services provided to a member during the time a member is participating in a community program funded by MassHealth including, but not limited to, day habilitation, adult day health, adult foster care, or group adult foster care;

(F) services provided by family members, as defined in 130 CMR 422.402;

(G) surrogates, as defined in 130 CMR 422.402; or

(H) PCA services provided to a member without the use of EVV as required by the MassHealth agency.

Pursuant to 130 CMR 450.204(A), MassHealth will not pay a provider for services that are not medically necessary; and may impose sanctions on a provider for providing or prescribing a service or for admitting a member to an inpatient facility where such service or admission is not medically necessary. A service is "medically necessary" if:

(1) it is reasonably calculated to prevent, diagnose, prevent the worsening of, alleviate, correct, or cure conditions in the member that endanger life, cause suffering or pain, cause physical deformity or malfunction, threaten to cause or to aggravate a handicap, or result in illness or infirmity; and

(2) there is no other medical service or site of service, comparable in effect, available, and suitable for the member requesting the service, that is more conservative or less costly to MassHealth. Services that are less costly to MassHealth include, but are not limited to, health care reasonably known by the provider, or identified by MassHealth pursuant to a prior authorization request, to be available to the member through sources described in 130 CMR 450.317(C), 503.007, or 517.007.

130 CMR 450.204(A).

The Appellant has the burden "to demonstrate the invalidity of the administrative determination." *Andrews v. Division of Medical Assistance*, 68 Mass. App. Ct. 228, 231 (2007). See also *Fisch v. Board of Registration in Med.*, 437 Mass. 128, 131 (2002); *Faith Assembly of God of S. Dennis & Hyannis, Inc. v. State Bldg. Code Commn.*, 11 Mass. App. Ct. 333, 334 (1981); *Haverhill Mun. Hosp. v. Commissioner of the Div. of Med. Assistance*, 45 Mass. App. Ct. 386, 390 (1998).

Through discussion at hearing, MassHealth agreed to authorize 5 minutes per day, 3 days per week for grooming (nail care) during school weeks and 5 minutes per day, 7 days per week during vacation weeks, for a total of 15 minutes weekly during school weeks and 35 minutes weekly during vacation weeks and the Appellant's representative agreed to this. Accordingly, that part of the appeal is approved in part and dismissed. 130 CMR 610.035(A)(8).

The Appellant's representative agreed to MassHealth's modifications for transfers, repositioning, grooming (oral care), eating (meals), bladder care, toileting (special transfers), and other healthcare needs. Therefore, those parts of the appeal are dismissed. 130 CMR 610.035(A)(8).

Remaining in dispute is the time authorized for PROM (lower extremities) and eating (snacks).

PROM (lower extremities)

█ requested:

- For School Weeks
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 3 days per week
 - 108 minutes weekly
- For Vacation Weeks
 - Lower Extremity Left
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly
 - Lower Extremity Right
 - 12 minutes, 3 times per day, 7 days per week
 - 252 minutes weekly

MassHealth modified the time for PROM lower extremities to 5 minutes per episode, which resulted in 45 minutes weekly for each lower extremity during school weeks and 105 minutes weekly for each lower extremity during vacation weeks.

The record was held open for submission of a letter of medical necessity from the Appellant's doctor, who wrote that the Appellant has "spastic quadriplegic cerebral palsy, cortical visual impairment, epilepsy, intellectual disability, and autism in the context of neonatal intraventricular hemorrhage with post hemorrhagic hydrocephalus s/p VPS placement . . . It is recommended that [Appellant] receive regular stretching exercises for 10 minutes three times a day." Exhibit 7 at 1.

In consideration of the testimony, record evidence, and MassHealth PCA Time-for-Task Guidelines, I interpret the Appellant's doctor's recommendation to be for 10 minutes per episode, for each extremity, 3 times per day. I find that the Appellant has met his burden in part and authorize:

- For School Weeks
 - Lower Extremity Left
 - 10 minutes, 3 times per day, 3 days per week
 - 90 minutes weekly
 - Lower Extremity Right
 - 10 minutes, 3 times per day, 3 days per week
 - 90 minutes weekly
- For Vacation Weeks
 - Lower Extremity Left
 - 10 minutes, 3 times per day, 7 days per week
 - 210 minutes weekly

- Lower Extremity Right
 - 10 minutes, 3 times per day, 7 days per week
 - 210 minutes weekly

Accordingly, this part of the appeal is approved in part.

Eating (snacks)

For assistance eating snacks, ██████ requested, on the Appellant’s behalf, 10 minutes per episode, twice per day, 3 days per week for school weeks, totaling 60 minutes weekly; and for vacation weeks, 10 minutes per episode, twice per day, 7 days per week, totaling 140 minutes weekly.

MassHealth modified the time for assistance eating snacks during school weeks to 5 minutes per episode, once per day, one day per week, and 5 minutes per episode, twice per day, two days per week, for a total of 25 minutes per week. MassHealth modified the time for snacks during vacation weeks to 5 minutes per episode, twice per day, 7 days per week, for a total of 70 minutes per week.

Based on the evidence before me, including the time already authorized for eating meals, I find that the Appellant has not met his burden in showing that MassHealth erred in modifying the time authorized for assistance with eating snacks. Therefore, this part of the appeal is denied.

Order for MassHealth

Adjust notice of June 27, 2025, to authorize PCA assistance weekly for

- PROM (lower extremities)
 - For School Weeks
 - Lower Extremity Left
 - 10 minutes, 3 times per day, 3 days per week
 - 90 minutes weekly
 - Lower Extremity Right
 - 10 minutes, 3 times per day, 3 days per week
 - 90 minutes weekly
 - For Vacation Weeks
 - Lower Extremity Left
 - 10 minutes, 3 times per day, 7 days per week
 - 210 minutes weekly
 - Lower Extremity Right
 - 10 minutes, 3 times per day, 7 days per week
 - 210 minutes weekly
- Grooming (nail care)
 - For School Weeks

- 5 minutes, once per day, 3 days per week
- 15 minutes weekly
- For Vacation Weeks
 - 5 minutes, once per day, 7 days per week
 - 35 minutes weekly

for the prior authorization period of July 11, 2025, to July 10, 2026, in addition to the PCA assistance time already authorized by MassHealth.

Send notice to Appellant of implementation only; do not include appeal rights.

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.

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.

Emily Sabo
Hearing Officer
Board of Hearings

MassHealth Representative: Optum MassHealth LTSS, P.O. Box 159108, Boston, MA 02215