

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2511695
Decision Date:	01/22/2026	Hearing Date:	11/14/2025
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:

Pro se

Appearance for MassHealth:

Cassandra Horne – Commonwealth Care Alliance (CCA)



*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:	Prior Approval – Drug Utilization Review
Decision Date:	01/22/2026	Hearing Date:	11/14/2025
MassHealth’s Rep.:	Cassandra Horne, CCA	Appellant’s Rep.:	Pro se
Hearing Location:	Taunton MEC		

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 25, 2025, MassHealth’s agent, Commonwealth Care Alliance (CCA) denied Appellant's Level One appeal of an earlier denial of a request for reimbursement for peptide therapy supplements (Exhibit A). Appellant filed this appeal in a timely manner on August 11, 2025 (see 130 CMR 610.015(B) and Exhibit A). Denial of assistance constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth’s agent CCA denied Appellant's Level One appeal of an earlier denial of a request for reimbursement for peptide therapy supplements.

Issue

The appeal issue is whether CCA properly applied the controlling regulation(s) to accurate facts when it denied Appellant's Level One appeal of an earlier denial of a request for reimbursement for peptide therapy supplements.

Summary of Evidence

Both parties appeared by telephone. At the time of hearing, CCA filed a packet of documentation including copies of its case file concerning this matter (Exhibit B) and the CCA One Care Drug List (Exhibit C).

The CCA representative testified that Appellant has been a member of the CCA One Care Program since December 1, 2018. Appellant filed a request seeking reimbursement for peptide therapy supplements incurred from December 2023 through May 2025.

CCA denied the request on May 9, 2025, because the peptide therapy supplements are over the counter supplements which are not covered by the CCA One Care Program or MassHealth (Medicaid) or Medicare Part D. The CCA representative testified that peptide therapy supplements are also not FDA approved medications and are sold over the counter as a dietary supplement. They also do not appear anywhere in the One Care Drug list which identifies covered medications and some supplements (Exhibit C).

Lastly, the CCA representative testified that according to the reimbursement documentation filed by Appellant, the peptide therapy supplements were not purchased through a pharmacy, but through [REDACTED], which is a gym. Also, Appellant did not seek prior authorization for the requested supplements.

Appellant appealed the denial through a Level One internal appeal with CCA. CCA denied the Level One appeal on July 24, 2025 upholding the original denial. This appeal was taken on the Level One denial.

Appellant appeared on his own behalf and testified that his peptide therapy is not purchased over the counter and is prescribed by a physician. He also testified that [REDACTED] is not a gym; it is a health clinic and the supplements are shipped through a compounding pharmacy. Appellant acknowledged that he did not receive prior authorization, but filed documentation with his Level One appeal that he thought should be considered as a prior authorization request.

Appellant further testified that he has been diagnosed with distal myopathy which he termed a muscular degenerative disease. Appellant acknowledged that there are other “traditional” treatments for his condition, but asserted they conflict with certain unspecified spiritual concerns. Appellant also asserted that the traditional treatments have unspecified adverse side effects that he wished to avoid. Lastly, Appellant noted that the CCA One Care program had reimbursed him for these supplements up through 2022 and then suddenly stopped.

In response, the CCA representative reiterated that the One Care Program only covers FDA approved drugs and supplements. She acknowledged that the Program did reimburse Appellant

for claims related to this peptide therapy prior to 2023 because during that time the supplements were FDA approved. The FDA withdrew approval for peptide therapy supplements in 2023 which is why Appellant's current claims extending from 2023 were denied.

Findings of Fact

Based on a preponderance of the evidence, this record supports the following:

1. Appellant has been a member of the CCA One Care Program since December 1, 2018.
2. Appellant filed a request seeking reimbursement for peptide therapy supplements incurred from December 2023 through May 2025.
3. CCA denied the request on May 9, 2025 because the peptide therapy supplements are over the counter supplements which are not covered by the CCA One Care Program or MassHealth (Medicaid) or Medicare Part D.
4. Appellant appealed the denial through a Level One internal appeal with CCA.
5. CCA denied the Level One appeal on July 24, 2025 upholding the original denial; this appeal was taken on the Level One denial.
6. Since 2023, peptide therapy supplements are not FDA approved medications.
7. Peptide therapy supplements are sold over the counter as dietary supplements.
8. Peptide therapy supplements do not appear anywhere in the One Care Drug list which identifies covered medications and some supplements (Exhibit C).
9. Appellant did not receive prior authorization for the requested supplements.
10. Appellant has been diagnosed with distal myopathy, a muscular degenerative disease.
11. "Traditional" treatments for distal myopathy conflict with certain unspecified spiritual concerns held by Appellant.
12. "Traditional" treatments also have unspecified adverse side effects that Appellant wishes to avoid.
13. The CCA One Care program had reimbursed Appellant for these supplements up through 2022 and then stopped.

14. Prior to 2023 peptide therapy supplements were FDA approved.

15. The FDA withdrew approval for peptide therapy supplements in 2023.

Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity (*Merisme v. Board of Appeals of Motor Vehicle Liability Policies and Bonds*, 27 Mass. App. Ct. 470, 474 (1989)). On this record, Appellant has not met his burden.

On this record, Appellant has made no showing as to why CCA is obligated to reimburse him for the peptide therapy supplements he purchased without receiving prior authorization since 2023. Appellant did not dispute nor evidence to the contrary that the peptide therapy supplements are not FDA approved or that they appear anywhere in the CCA One Care Manual (Exhibit B) or One Care Drug List (Exhibit C) as a covered item. The FDA removed approval for these peptide therapy supplements as of 2023 which means as of that time, they were removed from the One Care Drug List and no longer covered by the CCA One Care program.

After review, the MassHealth drug list also does not contain peptide therapy supplements. Pursuant to Masshealth regulations, "any drug that does not appear on the MassHealth Drug List requires prior authorization, as otherwise set forth in 130 CMR 406.000" (130 CMR 406.002 - Masshealth Drug List). Since 2023, Appellant has neither applied for nor received prior authorization which would be required before purchasing the peptide therapy supplements.

On this record, there is no basis to find that CCA's denial of Appellant's claims to be reimbursed for peptide therapy supplements he purchased from February 2023 through May 2025 is in any way invalid. Accordingly, the 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.

Kenneth Brodzinski
Hearing Officer
Board of Hearings

MassHealth Representative: ICO Commonwealth Care Alliance, Attn: Nayelis Guerrero, 30 Winter Street, Boston, MA 02108