

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



| | | | |
|-------------------------|--------------|-----------------------|------------|
| Appeal Decision: | Denied | Appeal Number: | 2511708 |
| Decision Date: | 10/29/2025 | Hearing Date: | 9/11/2025 |
| Hearing Officer: | David Jacobs | Record Open: | 10/14/2025 |

Appearance for Appellant:



Appearance for MassHealth:

Michelle Benevides, Taunton MEC



*Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street
Quincy, MA 02171*

APPEAL DECISION

| | | | |
|--------------------------|-------------------------------|------------------------|---------------|
| Appeal Decision: | Denied | Issue: | Verifications |
| Decision Date: | 10/29/2025 | Hearing Date: | 9/11/2025 |
| MassHealth Rep.: | Michelle Benevides | Appellant Rep.: | [REDACTED] |
| Hearing Location: | Board of Hearings (Remote) | | |

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 7/14/2025, MassHealth notified the appellant that he is not eligible for MassHealth long-term care (“LTC”) benefits because he did not give MassHealth the information it needs to decide his eligibility within the required time frame (Exhibit 1). The appellant filed a timely appeal on 8/11/2025 (Exhibit 2). The denial of assistance is valid grounds for appeal (130 CMR 610.032(A)).

Action Taken by MassHealth

MassHealth notified the appellant that he is not eligible for MassHealth long-term-care services because he did not give MassHealth the information it needs to decide his eligibility within the required time frame.

Issue

The appeal issue is whether MassHealth was correct in determining that the appellant is not eligible for MassHealth benefits.

Summary of Evidence

The MassHealth representative appeared at the hearing telephonically and testified in summary as follows: The appellant applied for MassHealth long-term care benefits on 4/7/2025 and the application was denied by notice dated 7/14/2025 for failure to submit the requested verifications (Exhibit 1). The requested start date for MassHealth benefits is 4/1/2025. On 4/8/2025, a request for information was sent to the appellant requesting the following:

1. Proof of Residency

2. Proof of Income from Annuity [REDACTED]

- This income was previously listed on your case, are you still receiving this income?
Yes or No

- If Yes, then please provide current statement showing gross monthly benefit amount.

3. Proof of Other Income

- You did not answer the question listed below on your application. Have you or someone else on your behalf, including a court or administrative body, contributed income or assets owned by you to a trust. Yes or No.

- This question can be found on pg. 14 of the application

4. Proof of Income from Private Pension [REDACTED]

5. Proof of Bank Account Information from Savings Account [REDACTED]

[REDACTED] XXXXXXXXXXXX [REDACTED]

- please send 1 current bank statement within the last 45 days.

6. Supplement Aid Form

- The supplement aid form was not filled out for the Frail Elder Waiver

The appellant did not submit all requested verifications, and the application was denied by the notice on appeal dated 7/14/2025 (Exhibit 1). As of the hearing date, all requested verifications were still pending.

The appellant's son appeared telephonically on behalf of his father. He conceded to the facts laid out by MassHealth and requested additional time to obtain the requested documents. Thereafter, the hearing officer left the record open until 9/25/2025 for the appellant to submit documents and 10/2/2025 for MassHealth to review the submissions (Exhibit 5).

On 9/25/2025, the MassHealth representative emailed the parties that no additional verifications had been submitted (Exhibit 6). The appellant representative did not respond until 9/29/2025 when he stated that he was still waiting to receive the private pension documents *id.* The hearing officer responded that he would extend the record open period, but informed the appellant representative that such requests for an extension should be made during the record open period *id.* If it happens again, he risks the hearing officer closing the record and making his decision *id.* The record open period was extended to 10/14/2025 for the appellant to submit documents and 10/20/2025 for MassHealth to review the submissions *id.* On 10/20/2025, the MassHealth representative informed the parties that no additional documents had been submitted to MassHealth and all requested verifications are still pending *id.* On 10/21/2025, the hearing officer reached out to the appellant representative via email to see if any documents had been submitted that MassHealth may have missed *id.* The appellant representative never responded, and the record closed.

Findings of Fact

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

1. On 4/7/2025, the appellant applied for MassHealth long-term care benefits.
2. On 4/8/2025, MassHealth sent the appellant a request for verifications.
3. The appellant did not submit all requested verifications and the 7/14/2025 denial on appeal was generated.
4. The missing verifications include residency, income, and asset documentation, as well as the full completion of a supplemental aid form.
5. After extension, the record was held open until 10/14/2025 for the appellant representative to submit documents, and 10/20/2025 for MassHealth to review the submissions.
6. On 10/20/2025, the MassHealth representative emailed all parties stating that no additional documents had been submitted and all requested verifications are still pending.
7. The appellant representative never responded, and the record closed.

Analysis and Conclusions of Law

Once an application for MassHealth long-term care benefits has been submitted, the MassHealth agency requests all corroborative information necessary to determine eligibility

(130 CMR 516.001). 130 CMR 516.001(B) provides the following with respect to corroborative information:

- (1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.
- (2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

130 CMR 516.001(C) sets forth the process regarding the receipt of corroborative information, and provides as follows:

If the requested information, with the exception of verification of citizenship, identity, and immigration status, is received within 30 days of the date of the request, the application is considered complete. The MassHealth agency will determine the coverage type providing the most comprehensive medical benefits for which the applicant is eligible. If such information is not received within 30 days of the date of the request, MassHealth benefits may be denied.

On 4/7/2025, the appellant applied for MassHealth long-term care benefits. By notice dated 4/8/2025, MassHealth requested verifications of residency, income, and asset documentation, as well as the full completion of a supplemental aid form. Verifications were not submitted and the application was denied by notice dated 07/14/2025.

The appellant representative conceded that the requested verifications listed on the 7/14/2025 denial notice had not been submitted (Exhibit 1). With extension, the appellant representative was given until 10/14/2025 to submit the requested verifications. On 10/20/2025, MassHealth informed the parties that none of the requested verifications had been submitted (Exhibit 6). A review of the record confirms this to be true. Therefore, as not all of the requested verifications have been submitted by the record close date of 10/14/2025, MassHealth did not err in denying the appellant's application for long-term care benefits.

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.

David Jacobs
Hearing Officer
Board of Hearings

cc:

Taunton MEC

