

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



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|-------------------------|----------------|-----------------------|------------|
| Appeal Decision: | DENIED | Appeal Number: | 2511767 |
| Decision Date: | 10/1/2025 | Hearing Date: | 09/19/2025 |
| Hearing Officer: | Sharon Dehmand | | |

Appearance for Appellant:
Pro se;



Appearance for MassHealth:
Carmen Rivera, Quincy 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

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|---------------------------|---------------|--------------------------|--|
| Appeal Decision: | DENIED | Issue: | Community Eligibility – under 65; Verifications; Residency |
| Decision Date: | 10/1/2025 | Hearing Date: | 09/19/2025 |
| MassHealth’s Rep.: | Carmen Rivera | Appellant’s Rep.: | Pro se |
| Hearing Location: | 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

Through a notice dated July 29, 2025, MassHealth notified the appellant that his coverage would end on August 12, 2025, because he did not provide proof of U.S. citizenship to MassHealth within the allowed time frame. See 130 CMR 502.003; CMR 502.007 and Exhibit 1. The appellant filed this appeal in a timely manner on August 8, 2025. See 130 CMR 610.015(B) and Exhibit 2. Any action to suspend, reduce, terminate, or restrict a member’s assistance is a valid ground for appeal to the Board of Hearings. See 130 CMR 610.032(A)(3).

Action Taken by MassHealth

MassHealth terminated the appellant’s coverage effective on August 12, 2025, because he did not provide proof of U.S. citizenship to MassHealth within the allowed time frame.

Issue

Whether MassHealth was correct in terminating the appellant’s coverage for failure to submit proof of U.S. citizenship to MassHealth within the allowed time frame. See 130 CMR 502.003; 130

Summary of Evidence

All parties appeared telephonically. MassHealth was represented by a worker from the Quincy MassHealth Enrollment Center. The appellant appeared with his sister as his appeal representative and verified his identity. The following is a summary of the testimony and evidence provided at the hearing:

The MassHealth representative testified that the appellant was on MassHealth CarePlus from March 22, 2025 to August 12, 2025. On April 23, 2025, a notice was mailed to the appellant requesting proof of U.S. citizenship, as MassHealth was unable to initiate an electronic information match because the appellant does not have a Social Security number. The appellant did not submit such proof. On July 29, 2025, MassHealth notified the appellant that his MassHealth coverage would end on August 12, 2025, because he did not submit a proof of U.S. citizenship within the allowed time frame. As of the hearing date, MassHealth had not received such proof from the appellant. On September 17, 2025, the MassHealth representative called the appellant and his sister who is his appeal representative. She was informed by the appellant that he was born and raised in [REDACTED] but that he does not have any proof of this fact. The representative suggested that another person who can reasonably attest to his citizenship, such as his sister, complete and submit an affidavit containing the appellant's name, date of birth, and place of birth to MassHealth. The appellant and his sister agreed to do so, but no such affidavit was received by MassHealth by the time of the hearing.

The appellant testified that he does not have a birth certificate, proof of citizenship, or a Social Security number. He said that his sister handles all his paperwork for him. The appellant's sister acknowledged that she had not submitted an affidavit to MassHealth regarding the appellant's citizenship but agreed to do so. The MassHealth representative provided the appellant's sister with an email address to which she could send her affidavit and informed her that she could also deliver the affidavit in person to the nearest MassHealth Enrollment Center.

Findings of Fact

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

1. The appellant is an adult under the age of [REDACTED] (Exhibit 4).
2. The appellant was on MassHealth CarePlus from March 22, 2025 to August 12, 2025. (Testimony and Exhibit 4).
3. On April 23, 2025, a notice was mailed to the appellant requesting the submission of proof of U.S. citizenship. (Testimony).

4. Since the appellant does not have a Social Security number, MassHealth is unable to initiate an electronic information match. (Testimony).
5. The appellant did not submit proof of U.S. Citizenship to MassHealth. (Testimony).
6. On July 29, 2025, MassHealth notified the appellant that his MassHealth coverage would end on August 12, 2025, because he did not submit a proof of U.S. citizenship within the allowed time frame. (Testimony and Exhibit 1).
7. As of the hearing date, MassHealth had not received the requested proof of U.S. citizenship. (Testimony).

Analysis and Conclusions of Law

In order to determine eligibility, applicants have certain responsibilities as set forth in 130 CMR 501.010.

...(A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining available health insurance. The MassHealth agency may request corroborative information necessary to maintain eligibility, including obtaining or maintaining available health insurance. The applicant or member must supply such information within 30 days of the receipt of the agency's request. If the member does not cooperate, MassHealth benefits may be terminated.

(B) Responsibility to Report Changes. The applicant or member must report to the MassHealth agency, within ten days or as soon as possible, changes that may affect eligibility. Such changes include, but are not limited to, income, the availability of health insurance, and third-party liability.

(C) Cooperation with Quality Control. The Quality Control Division periodically conducts an independent review of eligibility factors in a sampling of case files. When a case file is selected for review, the member must cooperate with the representative of Quality Control. Cooperation includes, but is not limited to, a personal interview and the furnishing of requested information. If the member does not cooperate, MassHealth may be terminated.

The MassHealth agency requires verification of eligibility factors including income, residency, citizenship, immigration status, and identity as described in 130 CMR 503.000. See 130 CMR

502.003.

The MassHealth agency will initiate electronic data matches as described in 130 CMR 502.004: Matching Information to attempt to verify U.S. citizenship or immigration status. If electronic data sources are unable to verify U.S. citizenship or immigration status, additional documentation will be required from the individual. See 130 CMR 504.004(A)(1). The MassHealth agency provides applicants and members a reasonable opportunity period to provide satisfactory documentary evidence of citizenship and identity or immigration status. See 130 CMR 504.005(C). The reasonable period begins on, and extends 90 days from, the date on which an applicant or member receives a reasonable opportunity notice. See 130 CMR 502.003(F). Applicants and members who demonstrate a good-faith effort to resolve issues with their documentation may be granted a 90-day extension, provided they request it before the original verification period ends. See 130 CMR 504.004(D); 130 CMR 502.003(G).

Here, it is undisputed that the appellant does not have a Social Security number. As result, MassHealth was unable to electronically verify the appellant's citizenship or immigration status. On April 23, 2025, MassHealth correctly sent a written request for proof of citizenship with a deadline of July 22, 2025 in accordance with 130 CMR 502.003(F)(reasonable period to provide documentary evidence of citizenship is 90 days from the date of notice). The appellant and his sister acknowledged that no such documentation was submitted to MassHealth. Since the appellant admitted not submitting the required information in the allowed time frame, MassHealth appropriately notified the appellant that his coverage would end on August 12, 2025, for his failure to submit the required verification.¹ See 130 CMR 502.003(D); 130 CMR 504.004(A)(3).

For the foregoing reasons, 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

¹ It should be noted that during the hearing, the appellant's sister agreed to submit an affidavit to confirm the appellant's U.S. citizenship. If MassHealth receives the requested verification, a new determination of eligibility will be made by MassHealth, and the appellant will have separate right of appeal based on the new determination.

receipt of this decision.

Sharon Dehmand, Esq.
Hearing Officer
Board of Hearings

cc: [REDACTED]

MassHealth Representative: Quincy MEC, Attn: Appeals Coordinator, 100 Hancock Street, 6th Floor, Quincy, MA 02171