

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved in Part; Denied in Part	<b>Appeal Number:</b>	2512101
<b>Decision Date:</b>	9/29/2025	<b>Hearing Date:</b>	09/18/25
<b>Hearing Officer:</b>	Stanley Kallianidis		

**Appellant Representative:**

Pro Se

**MassHealth Representative:**

Nicole Veras, Tewksbury



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Office of Medicaid  
Board of Hearings  
100 Hancock Street, 6<sup>th</sup> Floor  
Quincy, MA 02171*

# APPEAL DECISION

<b>Appeal Decision:</b>	Denied	<b>Issue:</b>	Coverage start date
<b>Decision Date:</b>	9/29/2025	<b>Hearing Date:</b>	09/18/25
<b>MassHealth Rep.:</b>	Nicole Veras		

## Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

## Jurisdiction

A notice dated August 7, 2025 was sent to the appellant stating that MassHealth approved his daughter's request for MassHealth Standard benefits with a coverage effective date of July 28, 2025 (see 130 CMR 505.002 and Exhibit 1). The appellant filed this appeal on August 15, 2025 and it is timely (see 130 CMR 610.015 and Exhibit 1). A dispute over the amount of assistance is valid grounds for appeal (130 CMR 610.032).

Notice of the hearing was sent to the parties on August 25, 2025 (Exhibit 3).

## Action Taken by MassHealth

MassHealth approved the appellant's daughter's request for MassHealth Standard benefits with a coverage effective date of July 28, 2025.

## Issue

Pursuant to 130 CMR 502.006, was the appellant's daughter's MassHealth coverage date correctly established?

## Summary of Evidence

With regard to the approved start date for MassHealth Standard, the MassHealth representative testified that it received the appellant's completed MassHealth Benefit Request (MBR) on August 7, 2025. It approved the appellant's application with a coverage-effective date of July 28, 2025 for his daughter, the earliest medical coverage date possible.

The appellant testified that his daughter was born in [REDACTED] 2025 and is seeking coverage back to her birth date. He stated that he tried to apply online and over the phone several times prior to August 7, 2025, but was unable to successfully complete the application.

The MassHealth representative's response was that she had no record in the system of any MassHealth application being filed prior to August 7, 2025.

## Findings of Fact

The record shows, and I so find:

1. The appellant's daughter was born in [REDACTED] 2025 (testimony).
2. MassHealth received the appellant's completed MBR on August 7, 2025 (testimony).
3. MassHealth approved the appellant's daughter's request for MassHealth Standard benefits with a coverage-effective date of July 28, 2025 (Exhibit 1).

## Analysis and Conclusions of Law

130 CMR 505.002(P) Medical Coverage Date.

(1) The medical coverage date for MassHealth Standard is described at 130 CMR 502.006: Coverage Dates, except as described at 130 CMR 505.002(P)(2).

(2) Provisional eligibility is described in 130 CMR 502.003(E): Provisional Eligibility.

130 CMR 502.006(A)(2)(a) Start Date of Coverage for Applicants. For individuals applying for coverage, the date of coverage for MassHealth is determined by the coverage type for which the applicant may be eligible. 130 CMR 505.000: Health Care Reform: MassHealth: Coverage Types describes the rules for establishing this date, except as specified in 130 CMR 502.003(E)(1), (F)(2), and (H)(2).

(1) The start date of coverage for individuals approved for benefits under provisional eligibility is described at 130 CMR 502.003(E)(1).

(2) The start date of coverage for individuals who do not meet the requirements for provisional eligibility, as described at 130 CMR 502.003(E)(2)(a), is described at 130 CMR 502.006(A)(2)(a) through (d), except individuals described at 130 CMR 502.006(C).

(a) The start date for individuals who are pregnant or younger than 19 years of age who submit all required verifications within the 90-day time frame is described in 130 CMR 502.006(A)(2)(a)1. and 2.

1. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and may be retroactive to the first day of the third calendar month before the month of application except as specified in 130 CMR 502.006(C).

2. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 506.006(C).

(b) For individuals not described in 130 CMR 502.006(A)(2)(a) who submit all required verifications within the 90-day time frame, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 502.006(C).

In this case, I have found that the appellant's daughter was born in [REDACTED] 2025 and that the appellant is seeking coverage for her as of her birthdate. I have also found that MassHealth received the appellant's completed MBR on August 7, 2025 and that it approved her for MassHealth Standard benefits with a coverage-effective date of July 28, 2025.

Pursuant to 130 CMR 502.006(A)(2)(a)(2) as cited above, coverage for individuals younger than 19 may be retroactive to the first day of the third calendar month before the month of application. Therefore, given the appellant's August 2025 application, she is eligible for benefits beginning May 1, 2025.

The appeal is therefore approved in part and denied in part as the May 1, 2025 start date is earlier than the date that MassHealth established but it is not retroactive to the appellant's birth date as requested.

## **Order for MassHealth**

Revise appellant's MassHealth Standard start date to May 1, 2025.

## **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 notice, you should contact your local office. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, MassHealth, at the address on the first page of this decision.

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Stanley Kallianidis  
Hearing Officer  
Board of Hearings

cc:

Tewksbury MEC