

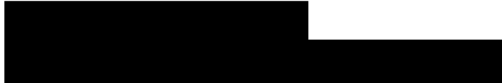
**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2512107
Decision Date:	11/04/2025	Hearing Date:	9/26/2025
Hearing Officer:	Patrick Grogan	Record Open to:	N/A

Appearances for Appellant:



Appearance for MassHealth:

Sarah Santos Plassmann, MassHealth
Charlestown

Interpreter:

N/A



*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	Issue:	Eligibility under 65, Coverage Start Date
Decision Date:	11/04/2025	Hearing Date:	9/26/2025
MassHealth's Rep.:	Sarah Santos Plassmann	Appellant's Reps.:	[REDACTED]
Hearing Location:	Remote (Tel)	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 8, 2025, MassHealth determined that the Appellant was over income for MassHealth benefits. (Exhibit 6) Through a subsequent notice dated August 7, 2025, MassHealth approved the Appellant's application for MassHealth CarePlus beginning July 5 2025. (see 130 CMR 502.006 and Exhibit 1) The Appellant filed this appeal in a timely manner on August 19, 2025. (see 130 CMR 610.015(B) and Exhibit 2) Denial of benefits and imposition of a coverage date are MassHealth actions and are valid grounds for appeal (see 130 CMR 610.032(3)).

Action Taken by MassHealth

MassHealth approved the Appellant's application for MassHealth CarePlus beginning July 5, 2025.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 502.006, in determining that the Appellant's MassHealth CarePlus coverage begins July 5, 2025. (see 130 CMR 502.006 and Exhibit 1)

Summary of Evidence

The Appellant is a MassHealth member under the age of 65 who applied for MassHealth benefits. (Exhibit 1, Exhibit 4) MassHealth stated that the Appellant had been a MassHealth member, but a renewal had not been received and the Appellant's coverage had terminated on May 31, 2025. (Testimony) MassHealth testified that an update, treated as a new application, was received on July 2, 2025. (Testimony) Proof of income was submitted on July 3, 2025. (Testimony, Exhibit 5) Based upon the submitted verifications, a Notice, dated July 8, 2025, determining that the Appellant was over income, was mailed to the Appellant's residence of record. (Testimony, Exhibit 6). The Appellant provided additional information to MassHealth on July 15, 2025. (Testimony) MassHealth treated this additional information as a new application date, the prior application having been resolved through the July 8, 2025 Notice. (Testimony) Within the submitted information was a letter explaining how the Appellant's income was derived. (Testimony) MassHealth explained that the letter submitted was not an acceptable proof of income. (Testimony) Additional income verifications were received on August 1, 2025. (Testimony, Exhibit 5). Based upon this information, a determination that the Appellant was eligible for MassHealth benefits was made. (Testimony) An approval Notice for MassHealth CarePlus, effective July 5, 2025, issued. (Testimony, Exhibit 1)

In the Appellant's Fair Hearing Request, the Appellant stated he sought review of the August 7, 2025 approval, indicating that he had been informed that the eligibility date would be 10 days prior to the original application, July 2, 2025. (Exhibit 2) The Appellant appeared at Hearing along with his mother. (Testimony) The Appellant and the Appellant's mother testified that the Appellant did not receive the July 8 Notice. (Testimony) The Appellant submitted a printout from mahix.org. (Exhibit 5). The printout confirms that proof of income was received on July 3, 2025, which led to the July 8, 2025 denial. (Exhibit 5, Exhibit 6). The printout confirms that no further proof of income had been received until August 1, 2025, which is consistent with MassHealth's testimony. (Testimony, Exhibit 1, Exhibit 5) The Appellant's mother stated that the original verification of income was misinterpreted by MassHealth, nothing had changed with the Appellant's income, and the Appellant seeks approval back to June 23, 2025, before the July 8, 2025 Notice issued. (Testimony).

Findings of Fact

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

1. The Appellant is a MassHealth member under the age of 65, who has been approved for MassHealth CarePlus, beginning on July 5, 2025. (Testimony)
2. The Appellant had been a MassHealth member, but a renewal had not been received and the

Appellant's coverage terminated on May 31, 2025. (Testimony, Exhibit 4)

3. An update, treated as a new application, was received on July 2, 2025. (Testimony) Proof of income was submitted on July 3, 2025. (Testimony, Exhibit 5) Based upon the submitted verifications, a Notice, dated July 8, 2025, determining that the Appellant was over income, was mailed to the Appellant's residence of record. (Testimony, Exhibit 6).
4. The Appellant provided additional information to MassHealth on July 15, 2025. Because it had issued a denial on July 8, 2025, MassHealth treated this as a re-application.
5. On August 7, 2025, MassHealth approved the appellant for CarePlus effective July 5, 2025.
6. On August 19, 2025, the appellant filed an appeal, seeking retroactive coverage back beyond July 5, 2025. (Exhibit 2)
7. The appeal is timely as to both the July 8 and the August 7 notices.

Analysis and Conclusions of Law

The Appellant has the burden "to demonstrate the invalidity of the administrative determination." Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228. 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).

The Appellant had been receiving MassHealth benefits but failed to return a renewal. (Testimony) MassHealth testified that no responsive documents had been received, and the Appellant's coverage ended on May 31, 2025. (Testimony)

Regarding the Appellant's request for retroactive coverage during the time period when MassHealth benefits had ceased, here, the applicable Regulation can be found at 130 CMR 502.006(A)(2)(a):

502.006: Coverage Dates

(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 (c), except individuals described at 130 CMR 502.006(C).

(a) For individuals 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 the instant appeal, the first update, treated as a new application submitted on behalf of the Appellant, was received on July 2, 2025. (Testimony) MassHealth issued a denial, dated July 8, 2025, based upon the information provided by the Appellant. (Testimony, Exhibit 6) A second update, treated as a new application, was received on July 15, 2025. (Testimony) Additional verifications were received on August 1, 2025. (Testimony, Exhibit 5) This resulted in an approval 10 days prior to the second update, the Appellant having been approved for MassHealth CarePlus effective July 5, 2025. (Exhibit 1)

Although the Appellant indicated intent to appeal MassHealth's August 7, 2025, I find that the Appellant's appeal request, filed August 19, 2025, may cover BOTH the July 8, 2025 as well as the August 7, 2025 Notice. (130 CMR 610.015(B)(1)) The Fair Hearing Request was filed within 60 days of both Notices. (Exhibit 1, Exhibit 2, Exhibit 6, 130 CMR 610.015(B)(1)) Accordingly, this appeal asserts jurisdiction over BOTH the July 8, 2025, Notice as well as the August 7, 2025, Notice.

Although MassHealth utilized the August 7, 2025 Notice to approve the Appellant for MassHealth CarePlus, the August 7, 2025 Notice does not address the issue raised at Hearing regarding the July 8, 2025 Notice denying the Appellant MassHealth benefits. (Exhibit 1, Exhibit 6). Where the Appellant demonstrated timely intent to appeal the denial of MassHealth benefits due to MassHealth's calculation of the Appellant's income, the issue of the July 8, 2025 Notice is properly incorporated into this appeal. The Appellant's update and clarification regarding calculation of his income resulted in MassHealth's approval for benefits. I find the approval is proper.

Regarding the effective date of coverage, the Appellant has shown, by a preponderance of evidence, the invalidity of MassHealth determination, in so much as MassHealth did not incorporate the July 8, 2025 denial Notice into its calculation. Since the first update, treated as a new application, was dated July 2, 2025, and since the Appellant timely appealed the issue of MassHealth's calculation of the Appellant's income related to BOTH Notices, the Appellant's approval should have been calculated from 10 days prior to the application date of July 2, 2025. (Testimony, Exhibit 6) Accordingly, on this record, the Appellant has met the burden, by a preponderance of evidence, to show that the MassHealth determination is invalid. The Appellant should be approved for MassHealth CarePlus, effective June 22, 2025. (Exhibit 1, Exhibit 2, Exhibit

6, 130 CMR 502.006(A)(2)(a)) Therefore, this appeal is APPROVED.


Order for MassHealth

Approve the Appellant for MassHealth CarePlus, effective June 22, 2025.

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.

Patrick Grogan
Hearing Officer
Board of Hearings


MassHealth Representative: Thelma Lizano, Charlestown MassHealth Enrollment Center, 529
Main Street, Suite 1M, Charlestown, MA 02129