

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved	<b>Appeal Number:</b>	2512281
<b>Decision Date:</b>	10/28/2025	<b>Hearing Date:</b>	September 22, 2025
<b>Hearing Officer:</b>	Stanley M. Kallianidis	<b>Record Open Date:</b>	October 21, 2025

**Appellant Representative:**



**MassHealth Representative:**

Yisell Medina, Taunton



*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>	Approved	<b>Issue:</b>	Long-Term Care; Verifications
<b>Decision Date:</b>	10/28/2025	<b>Hearing Date:</b>	September 22, 2025
<b>MassHealth Rep.:</b>	Yisell Medina		

### 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 June 23, 2025, MassHealth denied the appellant's application for MassHealth benefits because MassHealth determined that the verification process had not yet been completed (see 130 CMR 515.008 and Exhibit 1). The appellant filed this appeal in a timely manner on August 21, 2025 (see 130 CMR 610.015 and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

On August 25, 2025, a hearing notice was sent to the parties (Exhibit 3).

### Action Taken by MassHealth

MassHealth denied the appellant's application for MassHealth benefits.

### Issue

Pursuant to 130 CMR 610.071, has the appellant provided MassHealth with the requested verifications as of the close of the hearing record so as to be entitled to a re-determination of benefits?

## **Summary of Evidence**

The MassHealth representative testified that the appellant's May 1, 2025 application was denied due to a failure to provide timely verifications. A verification request was sent out to the appellant. Because all of the requested verifications were not submitted, a Notice of Denial was issued on June 23, 2025 (Exhibit 1). The missing verifications at issue were the appellant's income, assets and nursing home documents (Exhibit 4).

The appellant's representative testified that the appellant would submit all of the verifications necessary to determine his eligibility for long-term care benefits if given additional time.

The record was left open for 30 days during which time the appellant's representative submitted the verifications in question to the satisfaction of the MassHealth representative. She indicated that she agreed to preserve the May 1, 2025 application date as a result (Exhibits 5 & 6).

## **Findings of Fact**

Based on a preponderance of the evidence, I find:

1. The appellant applied for MassHealth on May 1, 2025 (Exhibit 4).
2. The appellant's application was denied due to a failure to provide verifications (Exhibit 1).
3. The missing verifications at issue were the appellant's income, assets and nursing home documents (Exhibit 4).
4. The record was left open for 30 days during which time the appellant's representative submitted the verifications in question to the satisfaction of the MassHealth representative (Exhibits 5 & 6).
5. MassHealth agreed to preserve the May 1, 2025 application date as a result of the submission of these documents (Exhibit 6).

## **Analysis and Conclusions of Law**

The applicant or member must cooperate with MassHealth in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of the MassHealth program including recovery (130 CMR 515.008(A)). If the requested information is not received, MassHealth benefits may be denied (130 CMR 516.001).

130 CMR 610.071 provides that evidence submitted at the hearing shall not be excluded. The date of eligibility is the date when the conditions of eligibility have been met, regardless of when the evidence was provided.

In the instant appeal, I have found that the appellant applied for MassHealth on May 1, 2025. The appellant's application was denied due to his failure to verify his income, assets and nursing home information.

During the record-open period, the appellant provided the requested verifications to the satisfaction of the MassHealth representative who in turn agreed to preserve the appellant's May 1, 2025 application date.

Based upon the regulations cited above, and where the appellant provided MassHealth with the requested information, the appellant is entitled to a reopening of his application and redetermination of his eligibility for long-term care benefits.

The appeal is therefore approved.

## **Order for MassHealth**

Re-open May 1, 2025 application and determine appellant's eligibility for MassHealth.

## 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 at the address on the first page of this decision.

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Stanley M. Kallianidis  
Hearing Officer  
Board of Hearings

cc:

Taunton MEC

