

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2512512
Decision Date:	10/17/2025	Hearing Date:	09/26/2025
Hearing Officer:	Sharon Dehmand		

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Millie Behnk, Springfield MEC
Roxana Noriega, Premium Assistance Unit



*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:	DENIED	Issue:	Community Eligibility – under 65
Decision Date:	10/17/2025	Hearing Date:	09/26/2025
MassHealth’s Rep.:	Millie Behnk; Roxana Noriega	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 7, 2025, MassHealth notified the appellant that she is required to enroll her child in her employer-sponsored health insurance by September 5, 2025, or her child’s MassHealth benefits may end. See 130 CMR 503.007 and Exhibit 1. The appellant filed this appeal in a timely manner on August 27, 2025. See 130 CMR 610.015(B) and Exhibit 2. Any action to suspend, reduce, terminate, or restrict a member's assistance is valid grounds for appeal to the Board of Hearings. See 130 CMR 610.032(A)(3).

Action Taken by MassHealth

MassHealth notified the appellant that she is required to enroll her child in her employer-sponsored health insurance by September 5, 2025, or her child’s MassHealth benefits may end.

Issue

Whether MassHealth erred in its determination that the appellant’s child was required to enroll in the appellant’s employer-sponsored health insurance. See 130 CMR 503.007.

Summary of Evidence

All parties participated telephonically. MassHealth was represented by a worker from the Springfield MassHealth Enrollment Center and a worker from the Premium Assistance Unit (PAU). The appellant appeared pro se and verified her identity. The following is a summary of the testimony and evidence provided at the hearing:

The MassHealth representative testified that the appellant is the parent of a minor child who has been determined to be disabled. The appellant is not a MassHealth member, but her child has had MassHealth CommonHealth since birth with a few gaps in coverage. In July 2025, a routine system check was performed by MassHealth. The system flagged an available employer-sponsored insurance (ESI) plan for the appellant's child. MassHealth reached out to the appellant's employer and confirmed that the appellant's employer offers at least one ESI plan that meets the minimum credible coverage (MCC) requirements. The representatives explained that this plan qualifies for premium assistance payments and that MassHealth will pay 100% of the appellant's premiums. Through a notice dated July 7, 2025, MassHealth notified the appellant that she must enroll her child in this insurance plan by September 5, 2025, or risk losing her MassHealth benefits. The appellant did not enroll her child in her employer-sponsored health insurance. Despite this qualifying event letter, the child's MassHealth CommonHealth is still in effect with no anticipated closure date.

The appellant testified that an ESI plan is in fact available through her employer. She stated that she is a single parent now and expressed concern regarding the payments' timeliness. She added that she is worried that the premium payments, which are the equivalent of almost all her paycheck, may not be received in time to meet her end-of-month financial obligations. She requested to be exempt from enrolling her child in her ESI plan.

The PAU representative responded that checks are issued on the 5th and mailed on the 10th of each month. She explained that if the appellant enrolls in a direct deposit program, the payments will be credited to her account without any mailing delay.

Findings of Fact

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

1. The appellant is the parent of a minor child who has been determined disabled. (Testimony).
2. The appellant is not a MassHealth member, but her child has had MassHealth CommonHealth since birth with a few gaps in coverage. (Testimony and Exhibit 4).
3. In July 2025, a routine system check was performed by MassHealth. The system flagged an

available employer-sponsored insurance plan. (Testimony).

4. MassHealth confirmed that the appellant's employer offers at least one employer-sponsored health insurance plan that meets the minimum credible coverage (MCC) requirements. (Testimony).
5. MassHealth will pay 100% of the appellant's premiums. (Testimony).
6. Through a notice dated July 7, 2025, MassHealth notified the appellant that she must enroll her child in this insurance plan by September 5, 2025, or risk losing her MassHealth benefits. (Testimony and Exhibit 1).
7. The appellant did not enroll her child in her employer-sponsored health insurance. (Testimony).
8. The appellant filed this appeal in a timely manner on August 27, 2025. (Exhibit 2).
9. As of the hearing date, the appellant had not enrolled her child in her employer-sponsored health insurance. (Testimony).
10. [REDACTED] (Testimony and Exhibit 4).

Analysis and Conclusions of Law

MassHealth regulation at 130 CMR 505.004 provides an overview of MassHealth CommonHealth eligibility which includes the following regarding employer-sponsored health insurance and premium assistance:

- (1) MassHealth may perform an investigation to determine if individuals receiving MassHealth CommonHealth
 - (a) have health insurance that MassHealth may help pay for; or
 - (b) have access to employer-sponsored health insurance in which MassHealth wants the individual to enroll and for which MassHealth will help pay.
- (2) The individual receives MassHealth CommonHealth while MassHealth investigates the insurance.
 - (a) Investigations for Individuals Who Are Enrolled in Health Insurance.
 1. If MassHealth determines that the health insurance that the individual is enrolled in meets the criteria at 130 CMR 506.012: Premium Assistance Payments, the individual is notified in writing that MassHealth will provide MassHealth CommonHealth Premium Assistance as described at 130 CMR 506.012: Premium Assistance Payments.

2. If MassHealth determines that the health insurance that the individual is enrolled in does not meet the criteria at 130 CMR 506.012: Premium Assistance Payments, the individual continues to be eligible for MassHealth CommonHealth.

(b) Investigations for Individuals Who Have Potential Access to Employer-sponsored Health Insurance.

1. If MassHealth determines that the individual has access to employer-sponsored health insurance, the employer is contributing at least 50% of the premium cost, and the insurance meets all other criteria described in 130 CMR 506.012: Premium Assistance Payments, the individual is notified in writing that they must enroll in this employer-sponsored coverage. MassHealth allows the individual up to 60 days to enroll in this coverage. Once enrolled in this health insurance plan, MassHealth provides premium assistance payments as described in 130 CMR 506.012: Premium Assistance Payments. Failure to enroll in the employer-sponsored health insurance plan at the request of MassHealth will result in the loss or denial of eligibility for all individuals unless the individual is younger than 19 years old, the individual is 19 or 20 years old, and has household income less than or equal to 150% of the federal poverty level, or is pregnant.

2. If MassHealth determines the individual does not have access to employer-sponsored health insurance, the individual continues to be eligible for MassHealth CommonHealth.

See 130 CMR 505.004(K).

Here, there is no dispute that an ESI plan that meets the MCC requirements is available through the appellant's employer for her child. Additionally, this plan qualifies for premium assistance payments and MassHealth will pay 100% of the appellant's premiums. See 130 CMR 506.012. As such, MassHealth correctly identified an available ESI plan and requested that the appellant enroll her child in that plan. See 130 CMR 505.004(K). Accordingly, MassHealth's issuance of a qualifying event letter is upheld and this appeal is DENIED.

Having said that, since MassHealth has not terminated the appellant's child's MassHealth CommonHealth coverage, I am unable to render a decision on that matter as it is not yet ripe for review.¹ However, the agency may not terminate the child's CommonHealth coverage solely on the basis that the appellant has failed to enroll the child in her ESI plan because the child is receiving MassHealth CommonHealth and is younger than 21 years of age. See 130 CMR 503.007(A).

Order for MassHealth

¹ Any subsequent notices issued by MassHealth will carry their own appeal rights.

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.

Sharon Dehmand, Esq.
Hearing Officer
Board of Hearings

MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 88 Industry Avenue, Springfield, MA 01104, 413-785-4186