

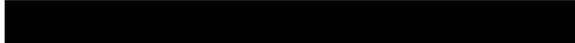
**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2512973
Decision Date:	11/24/2025	Hearing Date:	10/06/2025
Hearing Officer:	Marc Tonaszuck	Record Open to:	11/07/2025 for Appellant; 11/21/2025 for MassHealth

Appearance for Appellant:



Appearance for MassHealth:

Riana Malik



*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:	Long Term Care – Verifications
Decision Date:	11/24/2025	Hearing Date:	10/06/2025
MassHealth’s Rep.:	Riana Malik	Appellant’s Rep.:	
Hearing Location:	Springfield MassHealth Enrollment Center	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 08/08/2025, MassHealth informed the appellant, a nursing home resident, that she was not eligible for MassHealth Long Term Care (LTC) benefits because she failed to provide requested verifications within the time required (130 CMR 515.008; Exhibit 1). A timely appeal was filed on the appellant’s behalf by his Power of Attorney (POA)¹ on 04/28/2025 (130 CMR 610.015(B); Exhibits 2 and 4). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

A fair hearing took place on 10/06/2025, at which time the appellant representative requested additional time to submit the requested verifications to MassHealth. His request was granted, and the record remained open until 11/07/2025 for the appellant’s submission and until 11/21/2025 for MassHealth’s response (Exhibits 3 and 6).

¹ See Exhibit 4.

Action Taken by MassHealth

MassHealth denied the appellant's application for long term care benefits.

Issue

Did MassHealth correctly deny the appellant's long term care application?

Summary of Evidence

The MassHealth representative testified telephonically that the appellant, a nursing home resident, applied for MassHealth long term care benefits on 06/24/2025. On 06/30/2025, MassHealth sent to the appellant a request that he submit financial information in order to process his application. The verifications were due by 08/04/2025. The application was denied on 08/08/2025 for failure to provide requested verifications. As of the hearing date, the following verifications remained outstanding:

- Copies of Federal tax returns filed in the last two years including all schedules and attachments.
- ██████ statements from 1/1/2024 to current with proof of source of deposits and explanation/verification of disbursements of \$1,000.00 or more. Statements received were not legible.
- ████████████████████ Statements from 1/1/2024-5/30/2025 with proof of source of deposits and explanation/verification of disbursements of \$1,000.00 or more.
- ████████████████████ Full 12 months of rental expenses including: repairs, real estate taxes, water/sewer, homeowner's insurance, heat, etc.
- SC-1
- Nursing Facility Screening Notification

(Exhibit 5.)

The appellant was represented at the fair hearing by an appeal representative appointed by the POA. He testified that all verifications will be provided to MassHealth. He requested that the record remain open this matter so that he could provide the missing verifications. His request was granted, and the record remained open in this matter until 11/07/2025 for the appellant's submission and until 11/21/2025 for MassHealth's response (Exhibit 6).

On 10/17/2025, MassHealth informed the hearing officer that "... it does appear the verifications have been provided via email" (Exhibit 7).

Findings of Fact

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

1. The appellant, a nursing home resident, submitted an application for MassHealth long term care benefits on 06/24/2025.
2. On 06/30/2025, MassHealth sent to the appellant a request that he submit financial information in order to process his application. The verifications were due by 08/04/2025.
3. The 08/08/2025 the application was denied for a failure to provide missing verifications to MassHealth.
4. On 09/05/2025, the appellant's authorized representative filed a timely appeal with the Board of Hearings.
5. A fair hearing was held before the Board of Hearings on 10/06/2025.
6. At the fair hearing, the appellant's representative requested an extension of time to submit the missing verifications.
7. The record was held open in this matter until 11/07/2025 for the appellant's representative to submit the missing verifications and until 11/21/2025 for MassHealth's response.
8. On 10/17/2025, MassHealth informed the hearing officer that "... it does appear the verifications have been provided via email."

Analysis and Conclusions of Law

Fair hearing regulations at 130 CMR 610.071(A)(2) state as follows:

The Hearing Officer shall not exclude evidence at the hearing for the reason that it had not been previously submitted to the Division, provided that the hearing officer may permit the Division representative reasonable time to respond to newly submitted evidence. **The effective date of any adjustments to the appellant's eligibility status shall be the date on which all eligibility conditions were met, regardless of when the supporting evidence was submitted** (*Emphasis Added.*)

The LTC application date at issue in this appeal is 06/24/2025. As part of the eligibility process, MassHealth requested verification of certain financial information from the appellant. The requested information was not received by the MassHealth deadline and the LTC application was

denied on 08/08/2025.

The appellant filed a timely appeal to MassHealth's denial notice and during the record open period, all missing verifications were submitted to MassHealth. Pursuant to the above fair hearing regulation, even though the verification was submitted after the date of the denial notice, she filed a timely appeal to the termination notice and she met the eligibility conditions for MassHealth benefits as of the date of the termination notice. Accordingly, this appeal is approved.


Order for MassHealth

Process the application dated 06/24/2025. If additional information is necessary, MassHealth may request it from the appellant. Notify the appellant of the determination and include appeal rights.

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, Division of Medical Assistance, at the address on the first page of this decision.

Marc Tonaszuck
Hearing Officer
Board of Hearings



MassHealth Representative: Dori Mathieu, Springfield MassHealth Enrollment Center, 243 Cottage Street, Springfield, MA 01104