

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed in part; Denied in part	<b>Appeal Number:</b>	2513249
<b>Decision Date:</b>	11/24/2025	<b>Hearing Date:</b>	October 16, 2025
<b>Hearing Officer:</b>	Brook Padgett		

**Appellant Representative:**

Pro se

**MassHealth Representative:**

Kelly Rayen, R.N.



*Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
MassHealth of Medical Assistance  
Board of Hearings  
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Quincy, MA 02171*

# APPEAL DECISION

<b>Appeal Decision:</b>	Dismissed in part; Denied in part	<b>Issue:</b>	Prior Authorization PCA Services 130 CMR 450.204
<b>Decision Date:</b>	11/24/2025	<b>Hearing Date:</b>	October 16, 2025
<b>MassHealth Rep.:</b>	K. Rayen, R.N.	<b>Appellant Rep.:</b>	Pro se
<b>Hearing Location:</b>	Springfield	<b>Aid Pending:</b>	Yes

## Authority

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

## Jurisdiction

The appellant received a notice dated August 28, 2025 stating: Your request for prior authorization for personal care attendant services has been modified. (Exhibit 1).

The appellant filed this appeal timely on September 11, 2025 and has continued to receive aid pending the outcome of this appeal. (130 CMR 610.015(B); Exhibit 2).

Modification of a prior authorization request is valid grounds for appeal. (130 CMR 610.032).

## Action Taken by MassHealth

MassHealth modified the appellant's request for PCA services.

## Issue

Did MassHealth correctly modify the appellant's requested 19.5 hours of PCA assistance to 10.15 hours as the request did not meet the requirements set forth in the medical necessity regulation?

## Summary of Evidence

The MassHealth representative testified that the appellant is [REDACTED] years old with a primary diagnosis of diabetes along with degenerative disc disease due to a fall in 1992, and a below the knee amputation on [REDACTED] 2023. The appellant has a new diagnosis of [REDACTED] (separation of the muscles along the midline of the abdomen). The evaluating nurse observed the appellant getting into his pickup truck with his PCA after the visit. He has daily VNA from [REDACTED] MA Home Health for methadone administration, disease management, education, medication monitoring, and coordination of care with his health care providers.

A Prior Authorization (PA) request for a Personal Care Attendant (PCA) re-evaluation was submitted to MassHealth on August 07, 2025, by [REDACTED] requesting 19 hours and 15 minutes/week for one year. MassHealth modified the request on August 28, 2025, to 10 hours and 15 minutes/week.

The appellant and MassHealth testified to the following modifications:

**HAIR/Wash** -Request: 5 minutes x 1 time per day x 7 days a week.

MassHealth modified the request to 0 because the time requested for assistance with hair wash is included with bathing time. The medical record indicates the appellant is independent with hair comb, administering insulin and medication. No documentation task is done outside the shower.

The appellant argued he has a difficult time balancing in the shower and must hold on to the wall bar so he is unable to use his hands to wash his hair.

MassHealth responded that the time to wash hair is within the approved bathing time and there is no medical reason for additional time for a separate hair wash. The appellant indicated he understood the MassHealth modification.

**GROOMING/Nail Care** - Request: 5 minutes x 1 time per day x 1 time a week.

MassHealth modified the request to 0 because the clinical record indicates the appellant has sufficient functional ability to perform this task without physical assistance. Medical records on page 44 states "No clipping, only file, no fine motor impairment" and the appellant requires a podiatrist for toenails.

The appellant stated he has a weak right hand and he is unable to use a fingernail clipper to perform this task.

MassHealth reiterated the medical records indicate that the appellant should be filing his nail and not clipping and there is no evidence of any fine motor impairment. Further the appellant requires a podiatrist for toenails. The appellant indicated he understood the need for filing and that he would go to the podiatrist in the future.

**GROOMING/Shaving** - Request: 10 minutes x 1 time a day x 3 days a week.

MassHealth modified the request to 0 because the appellant's clinical record indicates he has sufficient functional ability to perform this task without physical assistance. There is no upper extremity impairment documented in the medical record.

The appellant stated he has had several back surgeries and cannot stand at the sink for more than a 5 minutes so the PCA is requires to bring a bowl of water to him and he has to shave while sitting on the couch.

MassHealth responded that the appellant currently has a beard and does not require shaving, and that it does not take 10 minutes to prepare a bowl of water. MassHealth increased the time for shaving to 2 minutes x 1 time a day x 3 days a week. The appellant agreed to the modification.

**GROOMING/Lotion** - Request: 3 minutes x 1 time a day x 7 days a week.

MassHealth modified the request to 0 because the appellant's clinical record indicates that he has sufficient functional ability to perform this task without physical assistance. There is no upper extremity impairment documented in the medical record.

The appellant argued he cannot put on lotion and that it requires 3 minutes to rub the lotion in.

MassHealth responded that the appellant is able to touch his chest, stomach and upper thighs and only requires assistance with his lower legs. MassHealth increased the time for applying lotion to the lower extremities to 2 minutes x 1 time a day x 7 days a week. The appellant agreed to the modification.

**DRESSING** - Request: 10 minutes x 1 time a day x 7 days a week.

MassHealth modified the request to 7 minutes x 1 time a day x 7 days a week because the time requested for assistance with dressing is longer than ordinarily required. MassHealth allowed time only for dressing of the lower extremity and occasional prosthetic assistance stating the PCA is given times to help button and place socks and pants. The appellant has the ability to assist in his dressing.

The appellant agreed with the MassHealth reduction.

**URINAL CARE/Emptying urinal** - Request: 2 minutes x 4 times a day x 7 days week.

MassHealth modified the request to 0 because your clinical record indicates the appellant has sufficient functional ability to perform this activity without physical assistance. The medical record indicates the appellant is independent with bowel care and ambulates with a cane so he is able to carry a urinal to the toilet and empty the container.

The appellant argued he is unsteady with his balance and is unable to walk to the bathroom using his cane and carrying a urinal for emptying. The appellant maintains that his prosthetic does not fit properly and causes him a great deal of pain and so he often times does not wear it making ambulating more difficult and the need to use his two hands for his walker or to lean against the wall when walking.

MassHealth responded that the medical evidence indicates he can independently ambulate and if he is having issues with his prosthetic he should returned to the maker for an adjustment.

**MEAL PREP** - Request: 90 minutes x 1 time a day x 7 days a week.

MassHealth modified the request to 45 minutes x 1 time a day x 7 days a week because the time requested for assistance with meal prep is longer than ordinarily required for someone in the appellant's condition. The medical record indicates the appellant can assist his meal prep while seated as there is no evidence of any upper extremity impairment.

The appellant acknowledged that he could assist in making some portion of his meals.

**LAUNDRY** - Request: 60 minutes x 1 time a week.

MassHealth modified the request to 45 minutes x 1 time a week because the time requested for assistance with laundry is longer than ordinarily required. There is no evidence of incontinence, and the appellant is able to assist by sorting and folding.

The appellant states it takes at least 5 minutes to go downstairs and place the laundry in the washer. The appellant indicated he requires at least 3 loads of laundry a week.

**SHOPPING** - Request: 80 minutes x 1 time a week.

MassHealth modified the request to 45 minutes x 1 time a week because the time requested for assistance with shopping is longer than ordinarily required. The appellant has the ability to accompany to the grocery store and use a motorized cart.

The appellant argues it takes longer to assist the PCA with the shopping rather than letting her do it alone. The appellant maintains it takes more than 45 minutes to go to the store, pick the items, wait in line and return home.

## Findings of Fact

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

1. The appellant is a ■ years old male with a primary diagnosis of diabetes; he has degenerative disc disease and a below the knee amputation. (Testimony).
2. On August 07, 2025 a PCA evaluation was submitted by the appellant's provider agency requesting 19 hours and 15 minutes per week of PCA services. (Exhibit 4).
3. On August 28, 2025, MassHealth modified the appellant's PCA request to 10 hours and 15 minutes per week. (Exhibit 4 and testimony).
4. The appellant indicated he understood and/or agreed with the MassHealth modification of time regarding Hair Washing, Grooming (nail care, shaving, lotion application) and Dressing. (Testimony).
5. Time requested for assistance with activities was approved in full or agreed to by the appellant with the exception of time requested for Urinal Care, Meal Prep, Laundry and Shopping. (Exhibit 4 and testimony).
6. The appellant requested 2 minutes x 4 times a day x 7 days week for Urinal Care (emptying his urinal) which MassHealth modified to 0 because the clinical record indicates the appellant has sufficient functional ability to perform this activity without physical assistance; the appellant is independent with bowel care and ambulates with cane so he is able to carry a urinal to the toilet and empty the container. (Exhibit 4).
7. The appellant requested 90 minutes x 1 time a day x 7 days a week for Meal Prep which MassHealth modified to 45 minutes x 1 time a day x 7 days a week because the time requested for assistance with meal prep is longer than ordinarily required for someone in the appellant's condition and the medical record indicates the appellant can assist preparing meals while seated. (Exhibit 4 and testimony).
8. The appellant requested 60 minutes x 1 time a week for Laundry which MassHealth modified to 45 minutes x 1 time a week because the time requested for assistance with laundry is longer than ordinarily required and because the appellant is able to assist by sorting and folding and there is no evidence of a condition that requires more laundry than is typical. (Exhibit 4 and testimony).
9. The appellant requested 80 minutes x 1 time per week for Shopping which MassHealth modified to 45 minutes x 1 time a week because the time requested for assistance with shopping is longer than ordinarily required and the appellant has the ability to go to the

grocery store and use a motorized cart. (Exhibit 4 and testimony).

## **Analysis and Conclusions of Law**

MassHealth will pay for PCA services provided to MassHealth members who can be appropriately cared for in the home (130 CMR 422.401 et seq.). The member must require physical assistance. The personal care agency determines the extent of the personal care services provided by a paid PCA (130 CMR 422.403). Personal care services consist of physical assistance with activities of daily living (ADL'S) (130 CMR 422.410(A)).

### 130 CMR 422.410: Activities of Daily Living and Instrumental Activities of Daily Living

(A) Activities of Daily Living. Activities of daily living include the following:

- (1) mobility: physically assisting a member who has a mobility impairment that prevents unassisted transferring, walking, or use of prescribed durable medical equipment;
- (2) assistance with medications or other health-related needs: physically assisting a member to take medications prescribed by a physician that otherwise would be self-administered;
- (3) bathing or grooming: physically assisting a member with basic care such as bathing, personal hygiene, and grooming skills;
- (4) dressing or undressing: physically assisting a member to dress or undress;
- (5) passive range-of-motion exercises: physically assisting a member to perform range-of-motion exercises;
- (6) eating: physically assisting a member to eat. This can include assistance with tube-feeding and special nutritional and dietary needs; and
- (7) toileting: physically assisting a member with bowel and bladder needs.

The requested services must also be medically necessary for prior authorization to be approved. MassHealth will not pay a provider for services that are not medically necessary and may impose sanctions on a provider for providing or prescribing a service or for admitting a member to an inpatient facility where such service or admission is not medically necessary.

(A) A service is "medically necessary" if:

- (1) it is reasonably calculated to prevent, diagnose, prevent worsening of, alleviate, correct, or cure conditions in the member that endanger life, cause suffering or pain, cause physical deformity or malfunction, threaten to cause or to aggravate a handicap, or result in illness or infirmity; and
- (2) there is no other medical service or site of service, comparable in effect, available, and suitable for the member requesting the service, that is more conservative or less costly to MassHealth. Services that are less costly to MassHealth include, but are not limited to, health care reasonably known by the provider or identified by the MassHealth pursuant to a prior authorization request, to be available to the

member through sources described in 130 CMR 450.317(C), 503.007, or 517.007.  
See 130 CMR 450.204

MassHealth has also issued Time-for-Tasks Guidelines for the MassHealth PCA Program; these guidelines provide sub-regulatory guidance for determining the amount of PCA time required to perform activities of daily living (ADLs) and instrumental activities of daily living (IADLs). The guidelines were developed to be used by nurses who evaluate a consumer's need for PCA services and by clinical reviewers of prior-authorization requests for MassHealth PCA services.<sup>1</sup>

MassHealth approved or the appellant agreed to the time requested for assistance with all activities with the exception of time requested for assistance with Urinal Care, Meal Prep, Laundry and Shopping. MassHealth modified these requests arguing that the time requested for assistance is longer than ordinarily required for someone with the appellant's physical needs. MassHealth maintained the appellant is independent with eating, toileting, mobility and transfers, and that he can ambulate with the use of a cane or a walker as well as move his arms and upper torso with no extremity issues. Therefore, MassHealth argues that the appellant has the ability to assist with his ADLs.

The appellant stated while he understood and/or agreed with the MassHealth modification regarding Hair Washing, Grooming (nail care, shaving, lotion application) and Dressing; however, he continued to dispute MassHealth's reduction in time regarding Urinal Care, Meal Prep, Laundry and Shopping.

The appellant requested 2 minutes x 4 times a day x 7 seven days a week for Urinal Care which consists of emptying his urinal. MassHealth modified this request to 0 minutes because the clinical record indicates the appellant has sufficient functional ability to perform this activity without physical assistance. The appellant is independent with bowel care and ambulates with a cane so he is able to carry a urinal to the toilet and empty the container. While the appellant argued he is unsteady and is unable to walk to the bathroom without using two hands for balance the medical evidence indicates he can independently ambulate, and thus the modification is upheld.

The appellant requested 90 minutes x 1 time a day x 7 days a week for Meal Prep which MassHealth modified to 45 minutes x 1 time a day x 7 days a week. The Time for Task guidelines allow an average maximum of 20 minutes for Breakfast, 30 minutes for Lunch, 45 minutes for Dinner and 5 minutes for a Snack (a maximum of 100 minutes for those individuals who cannot participate in the preparation or clean-up of their meals) per meal including preparation and

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<sup>1</sup> This document is not available on MassHealth's website. It has been made available pursuant to a public records request.

(<https://www.masslegalservices.org/system/files/library/Time-for-Tasks%20Guidelines%20for%20the%20MassHealth%20PCA%20Program.pdf>)

clean-up. The guidelines considers the appellant's functional ability, severity of symptoms, consumer level of participation, level of physical assistance needed, and any special dietary needs (such as chopped or pureed food, renal diet, etc.). The clinical record indicates the appellant has sufficient functional ability to assist with this activity as there is no evidence of any upper extremity impairment. While the appellant did complain that he has limited motion in his right hand and that he has had several back surgeries, he acknowledged that he could assist in making some portion of his meals. There was no medical evidence presented which indicates the appellant does not have the ability to use his upper body to assist in the preparation and clean-up of his meals. The reduction in time is reasonably within the time frames contemplated by the time for task guidelines for someone with the appellant's functional ability, and the modification is upheld.

The appellant requested 60 minutes x 1 time a week for Laundry which MassHealth modified to 45 minutes. The Time for Task guidelines allow 15-60 PCA minutes per load to assist with the sorting, washing, drying, folding, ironing and putting away of laundry. The guidelines considers the appellant's functional ability, severity of symptoms, consumer level of participation, number of loads of laundry per week, if there is any incontinence and use of washable absorbent or protective garments, location of where laundry is done, and frequency of bedding/linen changes. The clinical record indicates the laundry is within the appellant's home and he has sufficient functional ability to assist with this activity as there is no evidence of any upper extremity impairment. There was no medical evidence presented which indicates the appellant does not have the ability to sort and fold his own laundry or that he has a condition that requires more than the average laundry for one individual. The reduction in time is within the time for task guidelines and the modification is upheld.

The appellant requested 60 minutes x 1 time a week for Shopping which MassHealth modified to 45 minutes. The Time for Task guidelines allow 15-90 PCA minutes per week to assist with the preparation of a grocery list, along with the purchasing and putting away of groceries. The guidelines considers the appellant's functional ability, severity of symptoms, consumer level of participation, and distance from home. The clinical record indicates the appellant has the ability to assist the PCA by making a list, accompany her to the grocery store, and use a motorized cart to pick out items. The reduction time is within the time for task guidelines and the modification is upheld.

The MassHealth modifications regarding the time requested for Hair Washing, Grooming (nail care, shaving, applying lotion) and Dressing were agreed to by the appellant and are therefore dismissed; the MassHealth modifications regarding Urinal Care, Meal Prep, Laundry and Shopping are upheld and this appeal is denied in part.

## **Order for MassHealth**

Stop aid pending. Increase appellant's time requested for Grooming/Shaving to 2 minutes x 1 time a day x 3 days a week, and Grooming/Lotion 2 minutes x 1 time a day x 7 days a week, as agreed to by MassHealth.

## **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.

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Brook Padgett  
Hearing Officer  
Board of Hearings

cc: MassHealth Representative: PA Unit