

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2513382
Decision Date:	11/20/2025	Hearing Date:	10/31/2025
Hearing Officer:	Alexandra Shube	Record Open to:	11/19/2025

Appearance for Appellant:
Via Teams Videoconference:



Appearance for MassHealth:

Via Teams Videoconference:
Maribel Sepulveda, Springfield MEC
Roxana Noriega, Premium Assistance



*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:	Premium Assistance
Decision Date:	11/20/2025	Hearing Date:	10/31/2025
MassHealth's Rep.:	Maribel Sepulveda; Roxana Noriega	Appellant's Rep.:	Wife
Hearing Location:	Springfield MassHealth Enrollment Center, 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 August 1, 2025, MassHealth informed the appellant that he has health insurance available through a job that meets the rules for MassHealth Premium Assistance and he needs to enroll his children in the plan by September 30, 2025 or their MassHealth benefits may end (Exhibit 1). The appellant filed this appeal in a timely manner on September 15, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Challenging the scope of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth informed the appellant that he has insurance available through his job that meets the rules for MassHealth Premium Assistance and he needs to enroll his children in the plan by September 30, 2025 or their MassHealth benefits may end.

Issue

The appeal issue is whether MassHealth was correct in determining that the appellant has insurance available through his job that meets the rules for MassHealth Premium Assistance and must enroll his children in the available employer sponsored insurance.

Summary of Evidence

All parties appeared at hearing via Teams videoconference. MassHealth was represented by an eligibility worker (hereinafter, the MassHealth representative or MassHealth) from the Springfield MassHealth Enrollment Center and a Premium Assistance worker (hereinafter, the Premium Assistance representative or Premium Assistance). The appellant was represented by his wife.

The MassHealth representative testified as follows: the August 1, 2025 notice under appeal informed the appellant that he needed to enroll his children in his available employer-sponsored insurance which was eligible for Premium Assistance. If he did not enroll them by September 30, 2025, their MassHealth benefits may end. The appellant, who is a tax filer and under [REDACTED] has a household size of four which includes himself, wife, and two children. At the time of the notice, his income was at 169.21% of the Federal Poverty Level (FPL). Prior to hearing, on October 21, 2025, the appellant updated his income to reflect a monthly gross income of \$4,518.32, or 163.65% of the FPL. The MassHealth representative explained that the appellant and his spouse are over the allowable income limit of 133% of the FPL (or \$3,564 gross monthly for a household of four) to qualify for MassHealth benefits. His two children are eligible for MassHealth Family Assistance, since they are over 150% of the FPL but under 300% of the FPL. As of hearing, the children's Family Assistance was active with no end date.

The Premium Assistance representative explained that for the children to remain on Family Assistance, they must be enrolled in the available employer-sponsored insurance (ESI). Premium Assistance sent a qualifying event letter to the appellant and his employer explaining that there is an eligible ESI plan that Premium Assistance will cover 100%. The ESI plan would be the children's primary insurance and MassHealth, their secondary. According to the information the employer put on the DOR website, the plan is \$670 per month and meets the rules for Premium Assistance.

The appellant's wife testified that she is unemployed and her husband's income is the only income for the household. She did not dispute the income stated by MassHealth, but added that it was the gross amount and after taxes, it is significantly less. They have rent and bills to pay and cannot afford the ESI. She stated that according to communications she has had with Human Resources as well as the [REDACTED] where they can access their benefits information, the plan is \$587.63 per paycheck and he is paid weekly. Such a plan is not affordable or sustainable for her family.

Premium Assistance stated that it would not want a member to enroll in a plan that is not cost effective. She would need updated information from the appellant's employer. The record was held open until November 7, 2025 to allow time for Premium Assistance to reach out to the appellant's employer and get updated, accurate information on the available ESI. On November 3, 2025, Premium Assistance responded to all parties via email that the rates originally provided by the employer were incorrect. The actual rates are not cost effective and she placed the appellant's case in "No Access" so that MassHealth benefits would not terminate. The MassHealth representative responded that for some reason, the Health Connector was still telling the appellant that he had access to ESI, even though he no longer had ESI and was over the income limit for MassHealth benefits.. The record ultimately remained open until November 19, 2025 to make sure the issue was resolved. Premium Assistance confirmed that on its end, the appellant is shown as not having access to ESI. On November 19, 2025, the MassHealth representative confirmed that she re-ran the case and it gave him access to the Health Connector with a subsidy. She also reached out to the appellant's wife to let her know that they should try again to enroll in the Health Connector. MassHealth also noted that the children have remained eligible for Family Assistance and have had active coverage since July 19, 2024.

Findings of Fact

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

1. The appellant, who is under [REDACTED] has a size hold size of four, including his spouse and two children (Testimony and Exhibit 4).
2. On August 1, 2025, MassHealth informed the appellant that he has health insurance available through a job that meets the rules for MassHealth Premium Assistance and he needs to enroll his children in the plan by September 30, 2025 or their MassHealth benefits may end (Testimony and Exhibit 1).
3. On September 15, 2025, the appellant timely appealed the notice (Exhibit 2).
4. At the time of the notice, his income was at 169.21% of the FPL (Testimony).
5. Prior to hearing, on October 21, 2025, the appellant updated his income to reflect a monthly gross income of \$4,518.32, or 163.65% of the FPL.
6. The appellant and his spouse were over the allowable income limit to qualify for MassHealth benefits, but his children were eligible for MassHealth Family Assistance (Testimony).
7. As of hearing, the children's Family Assistance was still active with no end date (Testimony).

8. The ESI plan available to the appellant costs \$587.63 per week, but Premium Assistance had different information at the time of hearing (Testimony and Exhibit 5).
9. The record was left open, ultimately until November 19, 2025, for Premium Assistance to ensure it had the correct insurance information from the appellant's employer (Exhibits 6 and 7).
10. During the record open period, Premium Assistance confirmed that it had incorrect information for the appellant's ESI and determined that the plan available to the appellant through his employer was not cost effective (Exhibit 7).
11. Premium Assistance placed the appellant's case in "No Access" (meaning their case now shows they do not have access to ESI that meets Premium Assistance's requirements) so that MassHealth benefits would not terminate, (Exhibit 7).
12. After some snags, on November 19, 2025, MassHealth confirmed that its system reflected the "No Access" and the appellant and his wife are eligible to enroll in the Health Connector with a subsidy.
13. The appellant's children continue to be eligible for MassHealth Family Assistance with no gap in coverage (Exhibit 7).

Analysis and Conclusions of Law

At issue is whether the appellant must enroll his children in health insurance available through his employer in order to maintain their MassHealth benefits. The appellant's wife did not dispute their income, that she and the appellant were over income for MassHealth benefits, or that her children were eligible for Family Assistance. Her main argument was that they should not have to enroll in the ESI because, at \$587 per week, it was too expensive.

Pursuant to 130 CMR 505.002(M), applicants and members must use potential health insurance benefits in accordance with 130 CMR 503.007, which states that MassHealth is the payer of last resort and pays for health care and related services only when no other source of payment is available, except as otherwise required by federal law. Pursuant to 130 CMR 503.007, MassHealth may enroll members in available employer-sponsored health insurance if that insurance meets the criteria for payment of premium assistance under 130 CMR 506.012(B).

During the record open period, Premium Assistance got updated information from the appellant's employer. Premium Assistance determined that the ESI plan it had previously thought was available to the appellant and eligible for Premium Assistance was not cost effective. As such,

Premium Assistance determined that the appellant did not have access to ESI and the appellant did not need to enroll his children in the plan to maintain their MassHealth benefits. The children's MassHealth Family Assistance coverage remained active with no gap in coverage.

At the time of the notice, the appellant did not have access to cost effective ESI that met the rules for Premium Assistance. As such, the August 1, 2025 notice under appeal was incorrect and this appeal is APPROVED.¹

Order for MassHealth

Rescind the August 1, 2025 notice under appeal.

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.

Alexandra Shube
Hearing Officer
Board of Hearings

cc:

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

Premium Assistance

¹ The appellant can direct any questions about Health Connector plans to 1-877-MA-ENROLL (1-877-623-6765).