

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2513438
<b>Decision Date:</b>	11/13/2025	<b>Hearing Date:</b>	10/15/2025
<b>Hearing Officer:</b>	Alexandra Shube		

**Appearances for Appellant:**



**Appearances for MassHealth:**

*Via telephone:*

Aline Teixeira, Tewksbury 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

<b>Appeal Decision:</b>	Denied	<b>Issue:</b>	Under 65; Eligibility – Other Health Insurance; Premium Assistance
<b>Decision Date:</b>	11/13/2025	<b>Hearing Date:</b>	10/15/2025
<b>MassHealth’s Reps.:</b>	Aline Teixeira; Roxana Noriega	<b>Appellant’s Reps.:</b>	Pro se; HR representative
<b>Hearing Location:</b>	Tewksbury MassHealth Enrollment Center, Remote	<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

Through a notice dated September 5, 2025, MassHealth informed the appellant that she does not qualify for MassHealth benefits because she did not enroll in the required employer-sponsored health insurance and her coverage would terminate on September 19, 2025 (Exhibit 1). The appellant filed this appeal in a timely manner on September 16, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Challenging the termination and/or scope of assistance is valid grounds for appeal (see 130 CMR 610.032).

### Action Taken by MassHealth

MassHealth informed the appellant that she did not enroll in the required employer-sponsored health insurance and her MassHealth benefits would terminate on September 19, 2025.

## Issue

The appeal issue is whether MassHealth was correct in determining that the appellant did not enroll in the required employer-sponsored insurance.

## Summary of Evidence

All parties appeared at hearing via telephone. MassHealth was represented by an eligibility worker from the Tewksbury MassHealth Enrollment Center (hereinafter, the MassHealth representative or MassHealth) and a Premium Assistance representative (hereinafter, the Premium Assistance representative or Premium Assistance). The appellant appeared along with a representative from her employer's human resources department.

The MassHealth representative testified that the appellant is an adult between the ages of [REDACTED] a U.S. citizen, who is not disabled, and that she has a household size of two, which includes her minor child. The MassHealth representative testified that the household income is \$3,096.64 gross monthly, or 170.70% of the Federal Poverty Level (FPL) for a household of two after the 5% income disregard. The income limit for MassHealth Standard for a parent of a child younger than [REDACTED] years old is 133% of the FPL, or \$2,345 gross monthly for a household of two. The MassHealth representative testified that although the appellant's income now exceeds 133% of the federal poverty level, she and her daughter had extended eligibility for MassHealth Standard under Transitional Medical Assistance (TMA). On August 2, 2025, MassHealth notified the appellant that TMA would end on September 30, 2025. MassHealth stated that on September 5, 2025, it issued the notice under appeal informing the appellant that she did not enroll in the required employer-sponsored health insurance and her benefits would terminate on September 19, 2025. The appellant's MassHealth Standard benefits are active and protected by aid pending during the appeal process.<sup>1</sup> The appellant's daughter's MassHealth Standard benefits were still active at the time of the appeal. MassHealth also explained that the appellant will not be eligible for a Connector Care plan through the Health Connector because she has access to insurance through her employer.

The Premium Assistance representative testified that on July 2, 2025, it sent a notice informing the appellant that she needed to enroll in her available employer-sponsored insurance, which was eligible for Premium Assistance, by August 31, 2025. The Premium Assistance representative testified that this was a qualifying event allowing the appellant to enroll regardless of her employer's open enrollment deadlines. At the time of that notice, the appellant and her daughter were both eligible for MassHealth Standard and Premium Assistance identified two plans which it

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<sup>1</sup> MassHealth explained that once aid pending is removed at the conclusion of this appeal, the appellant would no longer be eligible for MassHealth benefits as she is over income. Her daughter would be over income for MassHealth Standard, but eligible for MassHealth Family Assistance. This change in eligibility is not at issue in this appeal.

would cover at 100%. Based on the updated income, the appellant would no longer be eligible for Premium Assistance because she is not eligible for MassHealth; however, her daughter, who is eligible for Family Assistance, would still qualify for Premium Assistance. Premium Assistance would pay 100% of the premium for the household and any deductible, copayments, or uncovered services covered by MassHealth for the daughter. Premium Assistance explained that it pays one month in advance, except for the first month. Once Premium Assistance receives proof of enrollment, it will send two checks, one for the first month and one in advance of the next month.

The appellant did not dispute her income but stated that it does not consider her bills and expenses. She testified that she lives paycheck to paycheck and that with her existing bills, she cannot afford additional costs. The appellant testified that her child may need surgery in November or January. The appellant testified that the situation has been very stressful and increased her anxiety. She also stated that she makes \$19 per hour and does not get child support. With this additional health insurance related cost, she felt like she was being punished for working. The human resources representative from her employer confirmed that there is insurance available to the appellant but it would take a couple months to get it set up and it is expensive, almost \$500 per month. The appellant explained that she did not enroll in it yet because of the appeal process and she has another appeal that was already heard.<sup>2</sup>

## Findings of Fact

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

1. The appellant is an adult over the age of [REDACTED] and under the age of [REDACTED] with a household size of two, consisting of herself and her minor child (Testimony and Exhibits 1 and 4).
2. Through a notice dated September 5, 2025, MassHealth informed the appellant that she does not qualify for MassHealth benefits because she did not enroll in the required employer-sponsored health insurance and her coverage would terminate on September 19, 2025 (Testimony and Exhibit 1).
3. On September 16, 2025, the appellant filed a timely appeal (Exhibit 2).
4. The appellant's MassHealth Standard benefits are protected by aid pending during the appeal process (Testimony).

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<sup>2</sup> Board of Hearings records indicate appeal #2510540 was heard on August 22, 2025 and September 22, 2025 with a different hearing officer and different MassHealth and Premium Billing representatives. At issue in that appeal was the July 2, 2025 notice informing the appellant that she has health insurance available through a job that meets the rules for Premium Assistance and she needs to enroll herself and her child in the plan by August 31, 2025. At the time of hearing, the decision was pending; however, at the time of writing this decision for appeal #2513438, a denial had issued because the appellant and her family have access, through her employer, to other health insurance that meets the required Basic Benefit Level.

5. The household's most recently verified gross monthly income is \$3,096.64, which is 170.70% of the Federal Poverty Level for a household of two (Testimony).
6. The appellant has access to health insurance through her job that meets the requirements of Premium Assistance and she was required to enroll in the employer-sponsored plan by August 31, 2025 (Testimony).
7. The appellant has not enrolled in the available employer-sponsored health insurance (Testimony).

## **Analysis and Conclusions of Law**

Pursuant to the September 5, 2025, notice under appeal, at issue is whether the appellant did not enroll herself in health insurance available to her through her employer and whether MassHealth properly terminated her benefits.<sup>3</sup>

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. Here, there is no dispute that the appellant has access to other health insurance through her employer. A representative from the appellant's employer's human resources office was present at hearing with the appellant and confirmed the availability of employer-sponsored insurance. The appellant has not enrolled in the available employer-sponsored insurance plan.

For these reasons, MassHealth's decision to terminate the appellant's coverage because she did not enroll in the employer-sponsored insurance was correct and the appeal is denied.

## **Order for MassHealth**

None, other than remove aid pending.

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<sup>3</sup> While discussed at hearing, the matter of Premium Assistance is not at issue in this appeal and was addressed in a separate appeal, #2510540.

## **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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Alexandra Shube  
Hearing Officer  
Board of Hearings

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957