

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2514029
Decision Date:	10/27/2025	Hearing Date:	10/20/2025
Hearing Officer:	Marc Tonaszuck		

Appearance for Appellant:



Appearance for MassHealth:

Jose Berrios



*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 – Over 65- Citizenship
Decision Date:	10/27/2025	Hearing Date:	10/20/2025
MassHealth’s Rep.:	Jose Berrios	Appellant’s Rep.:	Pro se with Granddaughter
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 09/02/2025, MassHealth informed the appellant that it reviewed her application for MassHealth benefits and it determined and that she is not eligible because she failed to submit requested verifications (130 CMR 515.008; Exhibit 1). On 09/16/2025, a timely appeal was filed on the appellant’s behalf (130 CMR 610.015(B); Exhibit 2). MassHealth agency actions to suspend, reduce, terminate, or restrict a member's assistance are valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant’s application for benefits for failure to submit requested verifications.

Issue

The issue is whether or not the requested verifications were submitted to MassHealth.

Summary of Evidence

The MassHealth representative testified telephonically that the appellant submitted an application for MassHealth benefits on 05/07/2025. As part of the eligibility process, on 05/07/2025, MassHealth sent to the appellant a request for information (VC-1), seeking verification of the appellant's citizenship. The verification was due by 08/05/2025. MassHealth did not receive the appellant's verification by the due date and, on 09/02/2025, MassHealth denied the application for failure to provide the verification of her citizenship. The MassHealth representative testified that the appellant can provide a copy of her state-issued identification as verification of her citizenship.

The appellant appeared at the fair hearing telephonically with her granddaughter. The granddaughter testified that the appellant would submit the verification of her citizenship.

Findings of Fact

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

1. The appellant applied for MassHealth long term care benefits on 05/07/2025.
2. On 05/07/2025, MassHealth sent to the appellant a request for information (VC-1), seeking information necessary to make an eligibility determination. The verifications were due by 08/05/2025.
3. On 09/02/2025, MassHealth denied the appellant's application for benefits because it did not receive the requested verification; specifically, verification of the appellant's citizenship.
4. The appellant submitted a request for a fair hearing on 09/16/2025.
5. A fair hearing took place before the Board of Hearings on 10/20/2025.
6. As of the date of the fair hearing, the appellant did not provide verification of her citizenship.

Analysis and Conclusions of Law

MassHealth regulations at 130 CMR 515.008 address responsibilities of applicants and members as follows:

- (A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain

eligibility, and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining other health insurance.

Regulations at 130 CMR 516.001(B) address corroborative information as follows:

The MassHealth agency requests all corroborative information necessary to determine eligibility.

- (1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.
- (2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

This appeal involves a denial of MassHealth benefits based on the appellant's failure to provide requested verifications within the regulatory time frame. The application was submitted on 05/07/2025. On 05/07/2025, MassHealth sent a request for verifications to the appellant, requesting certain documents and information to establish eligibility for benefits. The submission was due by 08/05/2025. The appellant failed to provide all of the requested information, and on 09/02/2025, MassHealth denied the appellant's application for failure to provide verifications. A timely appeal was filed on behalf of the appellant, and a fair hearing was held before the Board of Hearings.

At the fair hearing, the appellant's representative acknowledged that the verification of the appellant's citizenship was not submitted to MassHealth.

As a result, pursuant to the above regulations, MassHealth's denial of the appellant's application is supported by the facts in the record. This appeal is therefore denied.

Order for MassHealth

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.

Marc Tonaszuck
Hearing Officer
Board of Hearings

cc:

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