

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Denied	<b>Appeal Number:</b>	2514423
<b>Decision Date:</b>	12/9/2025	<b>Hearing Date:</b>	10/29/2025
<b>Hearing Officer:</b>	Kimberly Scanlon	<b>Record Open to:</b>	11/26/2025

**Appearance for Appellant:**



**Appearance for MassHealth:**

Jenny Chan, Quincy MEC



*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>	Eligibility; Over 65; Long-term care; Over asset
<b>Decision Date:</b>	12/9/2025	<b>Hearing Date:</b>	10/29/2025
<b>MassHealth's Rep.:</b>	Jenny Chan	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Quincy Harbor South 6 (Remote)	<b>Aid Pending:</b>	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 27, 2025, MassHealth notified the appellant that he does not qualify for long-term care services because MassHealth determined that he has more countable assets than MassHealth benefits allow. (Exhibit 1). The appellant filed this appeal in a timely manner on October 2, 2025. (130 CMR 610.015(B); Exhibit 2). Denial of assistance is valid grounds for appeal. (130 CMR 610.032).

## Action Taken by MassHealth

MassHealth notified the appellant that he does not qualify for long-term care services because his assets exceeded the allowable program limits.

## Issue

The appeal issue is whether MassHealth was correct in determining that the appellant is over the allowable asset limit to qualify for MassHealth benefits.

## Summary of Evidence

The MassHealth representative and the appellant's representative appeared at the hearing by telephone and testified as follows: The appellant is a single individual who is over the age of 65. On October 16, 2024, MassHealth received the appellant's application for long-term care services, and on December 17, 2024, MassHealth approved his long-term care application. (Exhibit 1, p. 1; Exhibit 6, p. 1). On ██████████ 2025, the appellant sold an out-of-state property. (Exhibit 6, p. 1). The proceeds from the sale were deposited into the appellant's checking account. *Id.* On August 27, 2025, MassHealth informed the appellant that he is not eligible for long-term care coverage because his assets exceed the program limits. (Exhibit 1). The appellant's reported assets include cash deposited into his check account totaling \$27,812.25. (Exhibit 1, p. 6). To be eligible for MassHealth benefits, the appellant's assets cannot exceed \$2,000.00. The MassHealth representative explained that after deducting \$2,000.00 allowed for a household of one, the appellant's excess assets total \$25,812.25. MassHealth informed the appellant in the August 27<sup>th</sup> notice that he may be eligible to receive MassHealth benefits if he were to reduce his assets to \$2,000.00 within 30 days. (Exhibit 1, p. 1). To date, MassHealth has received documentation verifying that some of the funds from the sale were used to pay legal fees. (Exhibit 6). The MassHealth representative explained that after deducting the funds used to pay legal fees, the appellant's excess assets currently total \$15,546.75. The MassHealth representative explained there are outstanding transactions made from the appellant's checking account that must be verified including: a cash withdrawal in the amount of \$6500 on April 1, 2025, and 2 checks written from his account in the amounts of \$2500 (dated April 8, 2025) and \$3500 (dated April 10, 2025), respectively. *Id.*

The appellant's representative testified that he has a few questions on 2 of the outstanding transactions that MassHealth listed above. First, he asked if MassHealth received the legal services agreement for inventory accounting paid in the amount \$2500 on April 8, 2025 and if so, whether MassHealth considers this as a valid transaction because the accounting has yet to be completed; the MassHealth representative responded affirmatively. Additionally, the appellant's representative asked if MassHealth considers the \$6500 retainer paid to the appellant's guardian as a valid transaction; the MassHealth representative responded affirmatively. The appellant's representative stated that he would submit additional documentation, and the record was left open for a brief period for the appellant's submission and for MassHealth to review submission. (Exhibit 7). MassHealth subsequently responded that the appellant's submission was received, and its decision remains unchanged because the appellant's excess assets remain at \$15,546.75. (Exhibit 9, p. 2).

## Findings of Fact

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

1. The appellant is a single individual who is over the age of 65.
2. On October 16, 2024, the appellant applied for MassHealth long-term care benefits which MassHealth approved on December 17, 2024.
3. On [REDACTED] 2025, the appellant sold an out-of-state property, and the proceeds of the sale were deposited into his checking account.
4. On August 27, 2025, MassHealth informed the appellant that he is not eligible for long-term care benefits because his assets exceeded the program limits.
5. To be eligible for MassHealth benefits, a single applicant's assets cannot exceed \$2,000.
6. On August 27, 2025, the appellant's assets exceeded \$2000 by \$25,812.25.
7. The appellant may be eligible for long-term care benefits if he reduces his assets to the allowable limit of \$2,000.
8. MassHealth received documentation verifying that some of the funds from the sale proceeds were used to pay legal fees; currently the appellant's assets exceed \$2000 by \$15,546.75.
9. The record was left open for the appellant to submit documentation verifying the asset spend-down of \$15,546.75
10. MassHealth received the appellant's submission and upon review, determined that the appellant assets still exceed \$2000 by \$15,546.75.

## **Analysis and Conclusions of Law**

The regulations at 130 CMR 515.000 through 520.000 provide the requirements for MassHealth eligibility for persons aged 65 and older. (130 CMR 515.002). An institutionalized person aged 65 and older may establish eligibility for MassHealth Standard coverage if the countable assets of an individual are \$2,000.00 or less. (130 CMR 519.006). At the hearing, MassHealth presented unrefuted evidence that the appellant's verified assets exceed the \$2,000.00 limit. The appellant was granted a post-hearing record-open period to verify to MassHealth that his assets have been reduced to the allowable limit of \$2,000.00. MassHealth confirmed receipt of the appellant's submission and notified the appellant that its decision remains unchanged because the appellant's excess assets remain at \$15,546.75. Thus, the appellant has not demonstrated that he

is currently eligible for MassHealth long-term care benefits. I find that the action taken by MassHealth was within the regulations and this appeal is 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.

---

Kimberly Scanlon  
Hearing Officer  
Board of Hearings

cc:

[REDACTED]

MassHealth Representative: Quincy MEC, Attn: Appeals Coordinator, 100 Hancock Street, 6th Floor, Quincy, MA 02171