

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



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| Appeal Decision: | Approved in part/ Dismissed in part/ Denied in part | Appeal Number: | 2514734 |
| Decision Date: | 12/15/2025 | Hearing Date: | 11/13/2025 |
| Hearing Officer: | Thomas J. Goode | | |

Appearance for Appellant:

Pro se

Appearances for Commonwealth Care Alliance:

Cassandra Horne, Appeals & Grievances
Manager
Jeremiah Mancuso, RN, Clinical Appeals
Reviewer



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, Quincy, MA 02108*

APPEAL DECISION

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| Appeal Decision: | Approved in part/ Dismissed in part/ Denied in part | Issue: | Managed Care Organization-Denial of Internal Appeal |
| Decision Date: | 12/15/2025 | Hearing Date: | 11/13/2025 |
| CCA's Reps.: | Cassandra Horne, et al. | Appellant's Rep.: | Pro se |
| Hearing Location: | 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 September 26, 2025, and following a first-level standard internal appeal, One Care, a Commonwealth Care Alliance (CCA) Integrated Care Organization (ICO), notified Appellant that it had upheld modifications to Appellant's request for PCA (personal care attendant) services (130 CMR 508.007, 422.000 *et seq.* and Exhibit 1). Appellant filed this appeal in a timely manner on October 9, 2025 (130 CMR 508.007, 610.018 and Exhibit 2). Denial of an internal appeal and modification of a prior authorization request for PCA services are valid grounds for appeal (130 CMR 508.007, 610.018).

Action Taken by MassHealth

One Care, a Commonwealth Care Alliance (CCA) Integrated Care Organization (ICO), notified Appellant that following a first-level standard internal appeal, it had upheld modifications to Appellant's request for PCA (personal care attendant) services.

Issue

The appeal issue is whether, following a first-level standard internal appeal, One Care, a Commonwealth Care Alliance (CCA) Integrated Care Organization (ICO), correctly upheld modifications to Appellant's request for PCA (personal care attendant) services.

Summary of Evidence

The Commonwealth Care Alliance (CCA) representatives testified that Appellant is a MassHealth member who enrolled in One Care, an Integrated Care Organization responsible for administering Appellant's MassHealth benefits, on April 1, 2022. A prior authorization request for increased personal care attendant (PCA) services from 17.75 PCA hours per week to 33.75 PCA hours per week was submitted on Appellant's behalf. The request was denied by CCA on August 27, 2025. On August 29, 2025, Appellant requested an internal Level 1 appeal, which was denied by a CCA medical director on September 24, 2025. A denial notice issued on September 26, 2025 (Exhibit 1). On October 9, 2025, Appellant filed a Level 2 appeal with the Board of Hearings. CCA testified that the request for increased PCA services involved time requested for bathing, a quick wash, laundry, housekeeping, shopping, and nighttime PCA hours. At the hearing, CCA approved PCA time as requested for laundry, shopping, and housekeeping, each of which was requested at 90 minutes once per week. Also at the hearing, Appellant acknowledged that she does not require assistance with a quick wash requested on her behalf because she is able to complete the task independently. The adjustments resulted in CCA approving a total of 19.25 PCA hours per week retroactive to the beginning of the prior authorization period effective October 1, 2025 through September 30, 2026.

Appellant is ■ years old with diagnoses including non-insulin dependent diabetes, asthma, anxiety, depression, arthritis, and neuropathy in her hands and feet. CCA testified that Appellant is able to drive and lives with her adult daughter. Appellant is independent with toileting tasks and is able to feed herself and has the use of her upper extremities. Regarding bathing, Appellant is currently authorized for 20 minutes of PCA assistance, once per day, 7 days per week. Appellant requested an increase in PCA time to 25 minutes once per day, 7 days per week. CCA testified that the increased time was not allowed because in the evaluation for PCA services, Appellant is described as needing moderate assistance with bathing tasks which equates to the ability to complete 50% of the task; therefore, 20 minutes per day is sufficient time to complete showering (Exhibit 4, pp. 62-64). CCA also testified that Appellant acknowledged that she can independently complete a quick wash and should need no more than moderate assistance for showering. CCA testified that Appellant requested 14 nighttime hours for the purpose of preparing a snack and fluids for Appellant which should take only 2 minutes to complete. Appellant has not been approved for nighttime PCA hours in the past. CCA added that Appellant ambulates independently and is independent with toileting and has the use of her upper extremities and hands. CCA testified that nighttime hours are rounded up in 2-hour blocks and the requested time if approved

would result in 14 additional PCA hours to prepare a snack. CCA allowed 2 additional minutes of PCA time for snack preparation that can be used any time during the day or night.

Appellant testified that she is able to participate in bathing while utilizing a shower chair and can wash her face, the front of her body and peri area. Appellant testified that additional time is needed to wash, condition and detangle her hair. Appellant testified that she had a stroke in [REDACTED] and has left-sided weakness, uses a walker and cane, and has reduced hand strength due to arthritis and fibromyalgia. Appellant added that she no longer lives with her daughter and no longer drives because she does not feel confident while driving, and for transportation relies on her daughter who is also her PCA. Appellant added that her snack at night is typically bread and butter, and that her medications make her drowsy and the snack needs to be prepared for her. Appellant added that the onsite evaluation submitted with the prior authorization request should be used to determine the number of PCA hours that are appropriate for her.

Findings of Fact

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

1. Appellant is a MassHealth member who, on April 1, 2022, enrolled in One Care, an Integrated Care Organization responsible for administering Appellant's MassHealth benefits.
2. A prior authorization request for increased personal care attendant (PCA) services from 17.75 PCA hours per week to 33.75 PCA hours per week, was submitted on Appellant's behalf.
3. The request was modified by CCA on August 27, 2025.
4. On August 29, 2025, Appellant requested an internal Level 1 appeal, which was denied by a CCA medical director on September 24, 2025. A denial of the Level 1 appeal issued on September 26, 2025.
5. On October 9, 2025, Appellant filed a Level 2 appeal with the Board of Hearings.
6. The request for increased PCA services involved time requested for bathing, a quick wash, laundry, house-housekeeping, shopping, and nighttime PCA hours. At the hearing, CCA approved PCA time as requested for laundry, shopping, and housekeeping, each of which was requested at 90 minutes once per week. The adjustments resulted in CCA approving a total of 19.25 PCA hours per week retroactive to the beginning of the prior authorization period effective October 1, 2025 through September 30, 2026.

7. Appellant acknowledged that she does not require assistance with a quick wash that was requested on her behalf as she is able to complete the task independently.
8. Appellant is [REDACTED] years old with diagnoses including non-insulin dependent diabetes, asthma, anxiety, depression, arthritis, and neuropathy in her hands and feet.
9. Appellant no longer lives with her adult daughter who is also her PCA.
10. Appellant is independent with toileting tasks and is able to feed herself and has the use of her upper extremities.
11. Appellant is currently authorized for 20 minutes of PCA assistance for bathing, once per day, 7 days per week. Appellant requested an increase in PCA time to 25 minutes once per day, 7 days per week.
12. In the evaluation for PCA services, Appellant is described as needing moderate assistance with bathing tasks which equates to the ability to complete 50% of the task.
13. Appellant is able to participate in bathing while utilizing a shower chair and can wash her face, the front of her body and peri area.
14. Appellant requested 14 nighttime hours for the purpose of preparing a snack and fluids.
15. Appellant has not been approved for nighttime PCA hours in the past.
16. Appellant ambulates independently, is independent with toileting, and has the use of her upper extremities and hands.
17. Nighttime PCA hours are rounded up in 2-hour blocks and the requested time if approved would result in 14 additional PCA hours to prepare a snack.
18. CCA allowed 2 additional minutes of PCA time for snack preparation that can be used any time during the day or night.

Analysis and Conclusions of Law

Appellant is a MassHealth member enrolled in One Care, which is a health plan that contracts with both Medicare and the Commonwealth of Massachusetts MassHealth (Medicaid) program to provide benefits of both programs to enrollees. Pursuant to 130 CMR 508.007(C), when a member is enrolled in an ICO in accordance with the requirements under 130 CMR 508.007(A), the ICO will authorize, arrange, integrate, and coordinate the provision of all covered services

for the member. Through a notice dated June 24, 2025, and following a first-level standard internal appeal, Commonwealth Care Alliance (CCA) notified Appellant that it had upheld modifications to Appellant's request for PCA (personal care attendant) services (130 CMR 508.007, 422.000 *et seq.* and Exhibit 1). Appellant has the burden of proving by a preponderance of the evidence the invalidity of the determination by the MassHealth agency or the ICO contracting with MassHealth.¹

The CCA One Care Medical Necessity Guideline and MassHealth regulations establish that PCA services require prior authorization. All authorizations submitted to CCA for determination are reviewed against 130 CMR 422.000 *et seq.* The CCA One Care Medical Necessity Guideline provides that authorizations should follow the time estimates outlined in the Time-for Task Guidelines or Functional Assessment for the MassHealth PCA Program which recognizes that some members may require additional time beyond the time estimates in the guidelines, while others may require less. If additional time is required, it must be clearly documented in the member's record. Pursuant to 130 CMR 422.403(C), MassHealth covers PCA services provided to eligible MassHealth members who can be appropriately cared for in the home when all the following conditions are met: (1) The PCA services are authorized for the member in accordance with 130 CMR 422.416; (2) the member's disability is permanent or chronic in nature and impairs the member's functional ability to perform ADLs and IADLs without physical assistance; (3) the member, as determined by the PCM agency, requires physical assistance with two or more of the ADLs as defined in 130 CMR 422.410(A); and (4) the MassHealth agency has determined that PCA services are medically necessary.

The PCA program provides assistance with the following:²

422.410: Activities of Daily Living and Instrumental Activities of Daily Living

(A) Activities of Daily Living (ADLs). Activities of daily living include the following categories of activities. Any number of activities within one category of activity is counted as one ADL

- (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 bathing, personal

¹ See Fisch v. Board of Registration in Med., 437 Mass. 128, 131 (2002) (burden is on appellant to demonstrate the invalidity of an administrative determination).

² See also PCA Consumer Handbook available at: <https://www.mass.gov/doc/pca-consumer-handbook-personal-care-attendant-program/download>.

hygiene, or grooming;

(4) dressing: 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 or bladder needs.

(B) Instrumental Activities of Daily Living (IADLs). Instrumental activities of daily living include the following:

(1) household services: physically assisting with household management tasks that are incidental to the care of the member, including laundry, shopping, and housekeeping;

(2) meal preparation and clean-up: physically assisting a member to prepare meals;

(3) transportation: accompanying the member to medical providers; and

(4) special needs: assisting the member with:

(a) the care and maintenance of wheelchairs and adaptive devices;

(b) completing the paperwork required for receiving PCA services; and

(c) other special needs approved by the MassHealth agency as being instrumental to the health care of the member.

(C) Determining the Number of Hours of Physical Assistance. In determining the number of hours of physical assistance that a member requires under 130 CMR 422.410(B) for IADLs, the PCM agency must assume the following.

(1) When a member is living with family members, the family members will provide assistance with most IADLs. For example, routine laundry, housekeeping, shopping, and meal preparation and clean-up should include those needs of the member.

(2) When a member is living with one or more other members who are authorized for MassHealth PCA services, PCA time for homemaking tasks (such as shopping, housekeeping, laundry, and meal preparation and clean-up) must be calculated on a shared basis.

(3) The MassHealth agency will consider individual circumstances when determining the number of hours of physical assistance that a member requires for IADLs.

422.411: Covered Services

(A) MassHealth covers activity time performed by a PCA in providing assistance with ADLs and IADLs as described in 130 CMR 422.410, as specified in the evaluation described in 130 CMR 422.422(C) and (D), and as authorized by the MassHealth agency.

422.412: Noncovered Services

MassHealth does not cover any of the following as part of the PCA program or the transitional living program:

(A) social services, including, but not limited to, babysitting, respite care, vocational rehabilitation, sheltered workshop, educational services, recreational services, advocacy, and liaison services with other agencies;

(B) medical services available from other MassHealth providers, such as physician, pharmacy, or community health center services;

(C) assistance provided in the form of cueing, prompting, supervision, guiding, or coaching³;

(D) PCA services provided to a member while the member is a resident of a nursing facility or other inpatient facility, or a resident of a provider-operated residential facility subject to state licensure, such as a group home;

(E) PCA services provided to a member during the time a member is participating in a community program funded by MassHealth including, but not limited to, day habilitation, adult day health, adult foster care, or group adult foster care;

(F) services provided by family members, as defined in 130 CMR 422.402;

(G) surrogates, as defined in 130 CMR 422.402; or

(H) PCA services provided to a member without the use of EVV as required by the MassHealth agency.

Prior authorization determines only the medical necessity of the authorized service and does not establish or waive any other prerequisites for payment such as member eligibility or utilization of other potential sources of health care as described in 130 CMR 503.007: *Potential Sources of Health Care* and 517.008: *Potential Sources of Health Care*. See 130 CMR 422.416.

130 CMR 450.204: Medical Necessity

The MassHealth agency does not pay a provider for services that are not medically necessary.

³ In contrast to the MassHealth PCA program, the CCA Medical Necessity Guideline for ICO members states that to be eligible to receive PCA services, the member must have a permanent or chronic disability (physical, cognitive, or behavior-related) that prevents the member from completing at least two (2) Activities of Daily Living (ADLs) with hands on physical assistance and/or cueing or monitoring.

(A) A service is “medically necessary” if:

- (1) it is reasonably calculated to prevent, diagnose, prevent the 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 the MassHealth agency. Services that are less costly to the MassHealth agency include, but are not limited to, health care reasonably known by the provider, or identified by the MassHealth agency pursuant to a prior-authorization request, to be available to the member through sources described in 130 CMR 450.317(C), 503.007: *Potential Sources of Health Care*, or 517.007: *Utilization of Potential Benefits*.

The request for increased PCA services involves time requested for bathing, a quick wash, laundry, house-housekeeping, shopping, and nighttime PCA hours. At the hearing, Appellant acknowledged that she does not require assistance with a quick wash requested on her behalf because she is able to complete the task independently. CCA approved PCA time as requested for laundry, shopping, and housekeeping, each of which was requested at 90 minutes once per week. The adjustments resulted in CCA approving a total of 19.25 PCA hours per week retroactive to the beginning of the prior authorization period effective October 1, 2025 through September 30, 2026. Regarding these modifications, the parties have reached resolution to Appellant’s favor. As to these modifications to the request for PCA services only, and pursuant to 130 CMR 610.051, 610.035(A)(8), the appeal is APPROVED and DISMISSED.

Regarding PCA assistance with bathing, Appellant is currently authorized for 20 minutes of PCA assistance, once per day, 7 days per week. Appellant requested an increase in PCA time to 25 minutes once per day, 7 days per week. In the evaluation for PCA services, Appellant is described as needing moderate assistance with bathing tasks (Exhibit 4, p. 63). CCA agreed with the assessment that Appellant requires moderate assistance with bathing although she is able to participate in bathing while utilizing a shower chair and can wash her face, the front of her body and peri area. Time-for-Task Guidelines for the MassHealth PCA Program show that moderate assistance with bathing equates to 30 minutes (Exhibit 4, p. 177). Therefore, Appellant’s request for increased PCA time to 25 minutes once per day 7 days per week is APPROVED.⁴

Regarding nighttime PCA hours, Appellant requested 14 nighttime hours for the purpose of preparing a snack and fluids. Appellant has not been approved for nighttime PCA hours in the past. Appellant ambulates independently and is independent with toileting and has the use of her upper

⁴ Appellant is also approved for 5 minutes per day for assistance with washing her hair, bringing the total time for bathing to 30 minutes per day (Exhibit 4, p. 63).

extremities and hands. Nighttime PCA hours are rounded up in 2-hour blocks and the requested time, if approved, would result in 14 additional PCA hours to prepare a snack which is excessive and does not meet medical necessity criteria given Appellant's functional ability. CCA has allowed 2 additional minutes of PCA time for snack preparation that can be used any time during the day or night, and therefore the modification is upheld. In this regard, the appeal is DENIED.

Order for Commonwealth Care Alliance

Retroactive to the beginning of the prior authorization period effective October 1, 2025, and through September 30, 2026, approve 90 minutes per week each for assistance with laundry, shopping, and housekeeping; approve 25 minutes once per day 7 days per week for assistance with bathing activities. Do not approve 5 minutes for a quick wash; and do not approve 14 nighttime hours requested.

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.

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.

Thomas J. Goode
Hearing Officer
Board of Hearings

MassHealth Representative: ICO Commonwealth Care Alliance, Attn: Nayelis Guerrero, 30 Winter Street, Boston, MA 02108