

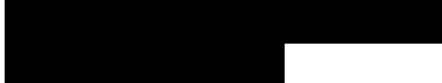
**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2514853
Decision Date:	12/8/2025	Hearing Date:	11/13/2025
Hearing Officer:	Marc Tonaszuck	Record Open to:	12/05/2025

Appearance for Appellant:



Appearance for MassHealth:

Kelly Rosati



*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:	Long Term Care - Verifications
Decision Date:	12/8/2025	Hearing Date:	11/13/2025
MassHealth's Rep.:	Kelly Rosati	Appellant's Rep.:	Pro se
Hearing Location:	Taunton 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 09/17/2025, MassHealth informed the appellant, a nursing home resident, that he was not eligible for MassHealth Long Term Care (LTC) benefits because he failed to provide requested verifications within the time required (130 CMR 515.008; Exhibit 1). A timely appeal was filed on the appellant's behalf by his conservator¹ on 10/10/2025 (130 CMR 610.015(B); Exhibit 2). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

A fair hearing took place on 11/13/2025, at which time the appellant representative requested additional time to submit the requested verifications to MassHealth. Her request was granted, and the record remained open until 11/21/2025 for the appellant's submission and until 12/05/2025 for MassHealth's response (Exhibits 3 and 5).

Action Taken by MassHealth

MassHealth denied the appellant's application for long term care benefits.

¹ See Exhibit 4.

Issue

Did MassHealth correctly deny the appellant's long term care application?

Summary of Evidence

The MassHealth representative testified telephonically that the appellant applied for MassHealth long term care benefits on 08/04/2025, seeking MassHealth benefits beginning on 10/07/2025. That application was denied for failure to provide requested verifications. As of the hearing date, the following verifications remained outstanding:

Proof of Bank Account Information from [REDACTED]
[REDACTED] - Please verify what account cashier's check for the closing of account was deposited into. Please verify what account Social Security is now deposited into.

(Exhibit 5.)

The appellant was represented at the fair hearing by his conservator. She requested that the hearing record be held open so that she could continue to make efforts at obtaining the missing verification. Her request was granted, and the record remained open until 11/21/2025 for the appellant's submission and until 12/05/2025 for MassHealth's response (Exhibit 6).

During the record open period, the appellant's conservator made a submission to the hearing record (Exhibit 7). MassHealth did not respond during the record open period.

Findings of Fact

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

1. The appellant, a nursing home resident, submitted an application for MassHealth long term care benefits on 08/04/2025, seeking 10/07/2025 as a MassHealth benefit start date.
2. The 08/04/2025 application was denied for a failure to provide missing verifications to MassHealth.
3. As part of the eligibility process, MassHealth sent the appellant a request for verification of various financial information necessary to make an eligibility determination.
4. The requested verifications were not received by MassHealth by the deadline and on 09/17/2025, the appellant's application for long term care benefits was denied by MassHealth.

5. On 10/10/2025, the appellant's authorized representative filed a timely appeal with the Board of Hearings.
6. A fair hearing was held before the Board of Hearings on 11/13/2025.
7. The appellant's conservator requested that the hearing record be held open so that she could continue to make efforts at obtaining the missing verification. Her request was granted, and the record remained open until 11/21/2025 for the appellant's submission and until 12/05/2025 for MassHealth's response (Exhibit 6).
8. During the record open period, the appellant submitted to MassHealth documents purporting to respond to the request for verifications (Exhibit 7).
9. MassHealth made no submission to the hearing record to respond to the appellant's submission.

Analysis and Conclusions of Law

The LTC application date at issue in this appeal is 08/04/2025. The appellant is seeking a benefit start date of 10/07/2025. As part of the eligibility process, MassHealth requested verification of certain financial information from the appellant. The requested information was not received by the MassHealth deadline and the LTC application was denied on 09/17/2025.

At the fair hearing on 11/13/2025, the appellant's conservator requested that the record remain open so that she would be able to submit the requested verifications. The hearing record was left open for submission from both parties. During the record open period, the appellant's conservator submitted the missing verifications to the hearing record and the MassHealth representative. MassHealth made no submission and no response to the appellant's submission.

Based on the facts that the appellant's conservator made a submission to the hearing record, and MassHealth raised no objection or otherwise disputed that the verifications were provided, I conclude that all verifications were submitted by the appellant. This appeal is therefore approved.

Order for MassHealth

Process the application dated 08/04/2025. If additional information is necessary, MassHealth may request it from the appellant.

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, Division of Medical Assistance, at the address on the first page of this decision.

Marc Tonaszuck
Hearing Officer
Board of Hearings

cc: [REDACTED]

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780