

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2514900
Decision Date:	11/21/2025	Hearing Date:	November 17, 2025
Hearing Officer:	Stanley Kallianidis		

Appellant Representative:



MassHealth Representative:

Stacy Kirby, Taunton



**Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, 6th Floor
Quincy MA 02171**

APPEAL DECISION

Appeal Decision:	Denied	Issue:	Excess assets
Decision Date:	11/21/2025	Hearing Date:	November 17, 2025
MassHealth Rep.:	Stacy Kirby	Appellant Rep.:	[REDACTED]

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Notice dated August 19, 2025 was sent to the appellant stating that MassHealth had denied her application for MassHealth benefits due to excess assets (Exhibit 1). The appellant filed this appeal on October 14, 2025 and, therefore, it is timely (see Exhibit 2 and 130 CMR 610.015). A denial of MassHealth benefits is grounds for appeal (130 CMR 610.032).

Notice of the hearing was sent to the parties on October 22, 2025 (Exhibit 3).

Action Taken by MassHealth

MassHealth denied the appellant's application for MassHealth benefits.

Issue

Pursuant to 130 CMR 520.004, has the appellant reduced her excess assets to the allowable asset limitation?

Summary of Evidence

The MassHealth representative testified that the appellant applied for MassHealth benefits on April 29, 2025. The application was denied due to the appellant having assets over the \$2,000.00 limit for her household of one. The appellant's assets included four life insurance policies totaling \$4,365.00, a bank account with \$6,172.00 in deposits, and land in South Carolina valued at \$15,700.00. The assets totaled \$26,237.00 and the excess assets were \$24,237.00 (Exhibit 4).

The appellant's representative did not dispute that the appellant is over the asset limit by \$24,237.00. She testified that the appellant does not want to sell her real estate and is no longer willing to reduce her assets to \$2,000.00. The appellant's representative nonetheless requested a decision on the matter.

Findings of Fact

The record shows, and I so find:

1. The appellant applied for MassHealth benefits on April 29, 2025 (Exhibit 4).
2. Notice dated August 19, 2025 was sent to the appellant stating that MassHealth had denied her application for MassHealth benefits due to excess assets (Exhibit 1).
3. The appellant's assets included four life insurance policies totaling \$4,365.00, a bank account with \$6,172.00 in deposits, and land in South Carolina valued at \$15,700.00 (Exhibit 4).
4. The appellant is not currently seeking to reduce her assets to the \$2,000.00 limit (testimony).

Analysis and Conclusions of Law

Pursuant to 130 CMR 520.003(A): The total value of countable assets owned by or available to individuals applying for or receiving MassHealth Standard or Limited may not exceed the following limits:

(1) for an individual — \$2,000; and

(2) for a couple living together in the community where there is financial responsibility according to 130 CMR 520.002(A)(1) — \$3,000.

With regard to asset reduction, 130 CMR 520.004 provides as follows:

(A) Criteria

(1) An applicant whose countable assets exceed the asset limitation may be eligible for MassHealth:

(a) as of the date the applicant reduces his or her excess assets to the allowable asset limitation without violating the transfer of asset provisions for nursing facility residents at

130 CMR 520.018(C) or

(b) as of the date, described in 130 CMR 520.004(C), the applicant incurs medical bills that equal the amount of the excess assets and reduces the assets to the allowable asset limitation within 30 days of the date of the notification of excess assets.

(2) In addition, the applicant must be otherwise eligible for MassHealth.

(B) Evaluating Medical Bills. MassHealth will not be responsible for payment of that portion of the medical bills equal to the amount of excess assets. Bills used to establish eligibility:

(1) cannot be incurred earlier than the first day of the third month prior to the date of the application as described at 130 CMR 516.002; and

(2) must not be the same bills or the same portions of the bills that are used to meet a deductible based on income.

(C) Date of Eligibility. The date of eligibility for otherwise eligible individuals described at 130 CMR 520.004 (A)(1)(b) is the date that his or her incurred allowable medical expenses equaled or exceeded the amount of his or her excess assets.

(1) If, after eligibility has been established, an individual submits an allowable bill with a medical service date that precedes the date established under 130 CMR 520.004(C), MassHealth will readjust the date of eligibility.

(2) In no event shall the first day of eligibility be earlier than the first day of the third month prior to the date of the application.

(D) Verification

The applicant will be required to verify that he or she incurred the necessary amount of medical bills and that his or her excess assets were reduced to the allowable asset limitation within required time frames.

In the instant appeal, I have found that the appellant applied for MassHealth benefits on April 29, 2025. MassHealth denied her application for MassHealth benefits due to excess assets of \$24,537.00 from life insurance, bank assets, and land in South Carolina.

I have also found that the appellant is not currently seeking to reduce her assets to the \$2,000.00 limit.

The appellant has not met the asset reduction criteria described above and is not seeking to do so. Therefore, her 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.

Stanley Kallianidis
Hearing Officer
Board of Hearings

cc:

Taunton MEC

