

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2516123
Decision Date:	01/27/2026	Hearing Date:	12/04/2025
Hearing Officer:	Thomas J. Goode		

Appearance for Appellant:



Appearance for MassHealth:

Caitlin Pynn, Worcester 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

Appeal Decision:	Denied	Issue:	Long Term Care- Patient Paid Amount
Decision Date:	01/27/2026	Hearing Date:	12/04/2025
MassHealth's Rep.:	Caitlin Pynn	Appellant's Rep.:	██████
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 October 22, 2025, MassHealth notified Appellant of a change in the patient paid amount from \$191.20 to \$376.20 effective November 1, 2025 (130 CMR 520.026 and Exhibit 1). Appellant filed this appeal in a timely manner on November 3, 2025 (130 CMR 610.015(B) and Exhibit 2). Notice of a change in the patient paid amount due is valid grounds for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth notified Appellant of a change in the patient paid amount from \$191.20 to \$376.20 effective November 1, 2025.

Issue

The appeal issue is whether, pursuant to 130 CMR 520.026, MassHealth correctly changed Appellant's patient paid amount from \$191.20 to \$376.20 effective November 1, 2025.

Summary of Evidence

The MassHealth representative testified that Appellant is under 65 years of age and was admitted to a skilled nursing facility on [REDACTED]. A long-term care application was submitted to MassHealth on July 16, 2025, and was approved on August 26, 2025, with a short-term patient paid amount (PPA) of \$191.20 (Exhibit 4). On admission to the nursing facility, MassHealth calculated the PPA by deducting \$72.80 personal needs allowance, \$1,305 to maintain the home in the community which ends after 6 months and allowed a deduction of \$185 for the Medicare Premium. The MassHealth representative testified that on October 22, 2025, MassHealth notified Appellant that effective November 1, 2025, the PPA increased to \$376.20. MassHealth testified that the change in PPA occurred because Appellant's \$185 Medicare Part B premium allowance was no longer deducted from Appellant's income and is currently paid by MassHealth through a Medicare Savings Program. Appellant is a household size of 1 person with no tax dependents or spouse in the community. Appellant's income consists of \$1,754 Social Security income. MassHealth explained that Appellant's revised PPA is calculated on gross income rather than net income because Appellant no longer pays the Medicare Part B premium which is paid by MassHealth. The MassHealth representative testified that although Appellant stated on his request for an appeal that he has family in the community, there is no indication on the long-term care application of a spouse or tax dependents in the community which would need be verified for calculation of either a spousal maintenance needs allowance or family maintenance needs allowance.

Appellant testified that he has been told he owes differing amounts by the business office manager at the facility to settle amounts in arrears. Appellant verified that he does not have a spouse in the community and does not have any tax dependents. Appellant expressed dissatisfaction with the services provided by the nursing facility and stated that he does not want to pay more than he must pay for his stay at the facility.

Findings of Fact

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

1. Appellant is under 65 years of age and was admitted to a skilled nursing facility on [REDACTED]
2. A long-term care application was submitted to MassHealth on July 16, 2025, and was approved on August 26, 2025, with a short-term patient paid amount (PPA) of \$191.20 (Exhibit 4).
3. On admission to the nursing facility, MassHealth calculated the PPA by deducting \$72.80 personal needs allowance, \$1,305 to maintain the home in the community, and allowed a

deduction of \$185 for the Medicare Premium.

4. On October 22, 2025, MassHealth notified Appellant that effective November 1, 2025, the PPA increased to \$376.20 because Appellant's \$185 Medicare Part B premium allowance was no longer deducted from Appellant's income and is currently paid by MassHealth through a Medicare Savings Program.
5. Appellant is a household size of 1 person with no tax dependents or spouse in the community.
6. Appellant's income consists of \$1,754 Social Security income.
7. 100% of the federal poverty level for one person is \$1,305.

Analysis and Conclusions of Law

The Patient Paid Amount is the amount that a member residing in a long-term-care facility must contribute to the cost of care under the laws of the Commonwealth of Massachusetts (130 CMR 515.001). Regulation 130 CMR 520.026 (A)-(E) outlines long-term care general income deductions that apply in the calculation of the Patient Paid Amount, which are limited to a Personal-Needs Allowance; Spousal-Maintenance Needs Deductions; Deductions for Family-Maintenance Needs, Deductions for the Maintenance of a Former Home, and Deductions for Health-Care Coverage and Other Incurred Expenses.

130 CMR 520.026(D): Deductions for Maintenance of a Former Home, states:

- (1) The MassHealth agency allows a deduction for maintenance of a home when a competent medical authority certifies in writing that a single individual, with no eligible dependents in the home, is likely to return home within six months after the month of admission. This income deduction terminates at the end of the sixth month after the month of admission regardless of the prognosis to return home at that time.
- (2) The amount deducted is the 100 percent federal-poverty-level income standard for one person.

Appellant is under 65 years of age and was admitted to a skilled nursing facility on [REDACTED]. A long-term care application was submitted to MassHealth on July 16, 2025, and was approved on August 26, 2025, with a short-term patient paid amount (PPA) of \$191.20 (Exhibit 4). On admission to the nursing facility, MassHealth calculated the PPA by deducting \$72.80 personal needs allowance, \$1,305 (100% of the 2025 federal poverty level for a household size of one person) to maintain the home in the community which ends after 6 months, and \$185 for the Medicare

Premium. The evidence and testimony show that Appellant is eligible for a Medicare Savings Program and that MassHealth is paying his \$185 Medicare Part B Premium. Therefore, because Appellant is not paying the Medicare Part B premium, the deduction for health insurance at 130 CMR 520.026(E) no longer applies as of November 1, 2025. Appellant's income consists of \$1,754 Social Security income. With the PNA and deduction for the maintenance of the former home applied, the PPA is correctly calculated to \$376.20 effective November 1, 2025.¹ Accordingly, the 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.

Thomas J. Goode
Hearing Officer
Board of Hearings

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

¹ Appellant's PPA may have been recalculated since the hearing date because the \$1,305 deduction for the maintenance of a former home ends 6 months after admission as noted above.