

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2516672
Decision Date:	02/12/2026	Hearing Date:	12/10/2025
Hearing Officer:	Thomas Doyle	Record Open to:	12/17/2025

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Amanda Rebello, Taunton 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:	Eligibility; Under 65; New Application
Decision Date:	02/12/2026	Hearing Date:	12/10/2025
MassHealth's Rep.:	Amanda Rebello	Appellant's Rep.:	Pro se
Hearing Location:	Remote (phone)	Aid Pending:	Yes

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 determined appellant does not qualify for MassHealth due to the death of the head of household. (Ex. 1). Appellant filed this appeal in a timely manner on November 2, 2025. (Ex 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth determined appellant does not qualify for MassHealth due to the death of the head of household.

Issue

The appeal issue is whether MassHealth was correct in finding appellant does not qualify for MassHealth benefits.

Summary of Evidence

The MassHealth worker (worker) and appellant both appeared by phone. The hearing began, parties were sworn and evidence was marked. The worker stated the following: The termination notice was sent to appellant because the head of household, appellant's wife, was determined to be deceased. The worker stated appellant would have to submit a new application for himself and the child in the case, with appellant as the head of household. She stated appellant could fill out an application at an enrollment center, on the phone or complete a paper application and fax or mail it into MassHealth. Aid pending has been applied. (Ex. 4).

Appellant stated he was sent an application, but he was not sure if he filled it out correctly to ensure his grandson's insurance was still active. He said he was raising his grandson, and his household ran on his income. The worker stated she was not aware of any new application. She stated appellant needed to complete a new application without his wife's name on the application. Appellant asked for information or assistance to fill out a new application. The worker recommended appellant complete a phone application and gave appellant the phone number.

The record was left open to December 17, 2025 for appellant to complete a new application. (Ex. 6). On December 17, 2025, the worker notified me "the member has not completed a new application." (Ex. 7).

Findings of Fact

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

1. A termination notice was sent to appellant because the head of household was determined to be deceased. (Ex. 1).
2. Appellant would have to submit a new application for himself and his grandchild with appellant as the head of household. (Testimony).
3. The hearing record was left open for appellant to submit a new application with appellant as head of household. (Ex. 6).
4. There is aid pending. (Ex. 4).
3. After the hearing record closed, MassHealth did not receive a new application from appellant with him as head of household. (Testimony; Ex. 7).

Analysis and Conclusions of Law

The appellant has the burden "to demonstrate the invalidity of the administrative determination." Andrews v. Division of Medical Assistance, 68 Mass. App. Ct. 228 (2007). Moreover, "[p]roof by a preponderance of the evidence is the standard generally applicable to administrative proceedings." Craven v. State Ethics Comm'n, 390 Mass. 191, 200 (1983).

130 CMR 515.008: Responsibilities of Applicants and Members

(A) Responsibility to Cooperate. The applicant or member must cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility and must comply with all the rules and regulations of MassHealth, including recovery and obtaining or maintaining other health insurance.

In this case, despite appellant being given additional time following the hearing to submit a new application with himself as head of household, MassHealth did not receive a new application. Further, appellant did not request additional time to submit the new application. Therefore, I find the action taken by MassHealth is within the regulations. (130 CMR 515.008).

Accordingly, this appeal is denied.

Order for MassHealth

End aid pending.

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 Doyle
Hearing Officer
Board of Hearings

MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780, 508-828-4616