

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved in part; Denied in part; Dismissed in part	<b>Appeal Number:</b>	2516849
<b>Decision Date:</b>	2/9/2026	<b>Hearing Date:</b>	12/17/2025
<b>Hearing Officer:</b>	Scott Bernard		

**Appearance for Appellant:**



**Appearance for MassHealth:**

Donna Burns, RN *via* telephone

**Interpreter:**



*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

<b>Appeal Decision:</b>	Approved in part; Denied in part; Dismissed in part	<b>Issue:</b>	Personal Care Attendant Services
<b>Decision Date:</b>	2/9/2026	<b>Hearing Date:</b>	12/17/2025
<b>MassHealth's Rep.:</b>	Donna Burns, RN	<b>Appellant's Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Quincy Harbor South	<b>Aid Pending:</b>	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 November 7, 2025, MassHealth modified the appellant's prior authorization request for Personal Care Attendant (PCA) services. (See 130 CMR 450.303; 422.410; 422.412; and Exhibit (Ex.) 1). The appellant, through her mother, filed this appeal in a timely manner on November 13, 2025. (See 130 CMR 610.015(B) and Ex. 2). Modifications to a prior authorization request for PCA services are valid grounds for appeal. (See 130 CMR 610.032).

## Action Taken by MassHealth

MassHealth approved the appellant's prior authorization request for PCA services with modifications.

## Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 450.204, 422.410, and 422.412, in modifying the appellant's prior authorization request for PCA services.

## Summary of Evidence

MassHealth was represented by a registered nurse and clinical appeals reviewer. The appellant was represented by her mother. All parties attended the hearing by telephone with the assistance of a Spanish interpreter.

The MassHealth representative stated that the appellant is a minor child who is [REDACTED] with diagnoses including [REDACTED]

[REDACTED] (Testimony; Ex. 5; Ex. 6). On November 3, 2025, [REDACTED] (the Personal Care Management, or PCM, agency) submitted a prior authorization reevaluation request for PCA services seeking 21 hours per week during school weeks and 24 hours per week during vacation weeks. (Testimony; Ex. 5, pp. 13–14). By notice dated November 7, 2025, MassHealth reviewed the request and approved 9 hours and 15 minutes per week during school weeks and 11 hours per week during vacation weeks, for the period November 22, 2025 through November 21, 2026. (Testimony; Ex. 1; Ex. 5, pp. 4–7).

The MassHealth representative explained that MassHealth modified the requested time for assistance with eleven activities of daily living (ADLs) based on determinations that certain requested services were services expected to be provided by family members, or that the time requested for assistance with specific ADLs exceeded what is ordinarily required for someone with the appellant's physical needs. (Testimony; Ex. 1; Ex. 5). During the hearing, MassHealth overturned the modifications of PCA assistance time for three ADLs, and approved the time requested by the PCM agency for mobility/stair assistance at three minutes, two times per day, three days per week; mobility/transfers at two minutes, two times per day, three days per week; and grooming/oral care at two minutes, two times per day, seven days per week. (Testimony; Ex. 5, pp. 17, 22). The appellant's mother did not contest the modifications MassHealth made to the time authorized assistance for bus transfers or grooming/nail clipping. (Testimony; Ex. 5, pp. 17, 22–23).

The appellant's mother testified that the appellant requires extensive assistance with ADLs due to aggressive behaviors, flight risk, lack of safety awareness, toileting needs, feeding difficulties, and the administration of injectable and ophthalmic medications related to [REDACTED] [REDACTED] (Testimony; Ex. 6). The appellant's mother further described that the appellant's behaviors have worsened, that constant supervision is required, and that the family is awaiting stabilization of school-based and applied behavioral analysis (ABA) services. (Testimony; Ex. 6).

The following ADLs remained in dispute at the conclusion of the hearing.

### Bathing

The PCM agency requested 45 minutes per day for assistance with bathing during both school

and vacation weeks. (Testimony; Ex. 5, pp. 20–21, 50–51). In support of its request, the PCM agency wrote: “Consumer is dependent with bathing; requires physical assistance with transferring in/out of the bathtub (physically lifted) and is dependent with washing/drying their body and hair due to developmental delays due to Autism, arthritis with pain/swelling in joints.” (Ex. 5, pp. 21, 51). MassHealth modified the request and approved 15 minutes per day, determining that the time requested was longer than ordinarily required and that the documentation indicated that some of the services requested were services expected to be provided by family members. (Ex. 1; Ex. 5, p. 5).

The MassHealth representative explained that any ██████████ child like the appellant would require parental assistance with bathing and would not be completely independent, and that MassHealth does not pay for the portion of bathing assistance that reflects ordinary parental responsibility. (Testimony). She stated that the requested 45 minutes per day was excessive because it included time for supervision and assistance that would also be required for a non-disabled child of the same age. (Testimony). She further explained that the 15 minutes approved reflected the appellant’s disability-related needs above and beyond ordinary parental care. (Testimony).

In response, the appellant’s mother clarified that she understood that a non-disabled child of the appellant’s age would ordinarily require parental assistance with bathing, and that such assistance would reasonably take approximately 30 minutes, which MassHealth would not pay for. (Testimony). She stated that the additional time requested beyond that baseline reflected the appellant’s disability-related needs, including resistance to bathing, sensory sensitivities, difficulty tolerating hair washing, and pain related to ██████████ (Testimony). She emphasized that the appellant requires full hands-on assistance throughout the bathing process and cannot complete any portion independently. (Testimony).

After considering this testimony and the appellant’s prior authorization history, the MassHealth representative agreed to increase the approved bathing PCA assistance time to 20 minutes per day, consistent with the amount previously authorized. (Testimony). The MassHealth representative stated that, although acknowledging the appellant’s disability-related needs, she continued to determine that 45 minutes per day exceeded what was ordinarily required for someone with the appellant’s physical needs under the PCA program. (Testimony).

The appellant’s mother did not accept the offered adjustment to 20 minutes per day, stating that the appellant’s behavioral resistance, sensory issues, and pain-related limitations required additional hands-on assistance beyond the amount offered. (Testimony). The issue of the appropriate amount of PCA time for bathing therefore remained in dispute at the conclusion of the hearing. (Testimony).

### **Dressing**

The PCM agency requested 15 minutes per day for assistance with dressing during both school

and vacation weeks. (Testimony; Ex. 5, pp. 24, 54). In support of its request, the PCM agency indicated that the appellant requires full physical assistance with dressing due to developmental delays related to autism, joint pain and stiffness related to juvenile idiopathic arthritis, and difficulty tolerating clothing. (Ex. 5, pp. 24, 54). MassHealth modified the request and approved seven minutes per day, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 5).

The MassHealth representative explained that dressing time under the PCA program reflects hands-on physical assistance and does not include time for encouragement, supervision, or behavioral redirection. (Testimony). She stated that, while the appellant requires assistance with dressing, the documentation did not support the full 15 minutes requested. (Testimony). In response, the appellant's mother testified that the appellant resists dressing, becomes dysregulated during the process, and requires constant hands-on assistance to complete dressing safely. (Testimony). She explained that pain and joint stiffness further slow the process and that the appellant cannot complete any portion independently. (Testimony).

After considering the testimony and the appellant's prior authorization history, the MassHealth representative offered to increase the approved time to ten minutes per day. (Testimony). The MassHealth representative stated that, although the appellant requires assistance, she continued to determine that 15 minutes per day exceeded what was ordinarily required under the PCA program. (Testimony). The appellant's mother did not accept the offered adjustment, stating that ten minutes was insufficient given the appellant's behavioral resistance and physical limitations. (Testimony).

### **Undressing**

The PCM agency requested 10 minutes per day for assistance with undressing. (Testimony; Ex. 5, pp. 24, 54). In support of its request, the PCM agency indicated that the appellant requires hands-on assistance to remove clothing due to developmental delays, joint pain, and resistance to care. (Ex. 5, pp. 24, 54). MassHealth modified the request to five minutes per day based on regulatory standards concerning ordinary time requirements. (Ex. 1; Ex. 5, p. 5).

The MassHealth representative explained that undressing is generally quicker than dressing and that the documentation did not support the full time requested. (Testimony). She stated that the approved time reflected MassHealth's assessment of what was ordinarily required for someone with the appellant's physical needs. (Testimony). The appellant's mother testified that undressing is often difficult due to the appellant's behavioral resistance, sensory sensitivities, and fatigue at the end of the day. (Testimony). She stated that the appellant frequently refuses to cooperate and requires physical assistance throughout the process. (Testimony).

After considering the testimony, the MassHealth representative offered to increase the approved time to seven minutes per day. (Testimony). The appellant's mother stated that she believed ten minutes was more appropriate. (Testimony).

## **Eating**

The PCM agency requested 20 minutes per meal for assistance with eating during both school weeks and vacation weeks<sup>1</sup> (Testimony; Ex. 1; Ex. 5, pp. 6, 25, 55). In support of its request, the PCM agency indicated that the appellant requires assistance due to feeding difficulties, lack of safety awareness, and behavioral challenges. (Ex. 5, pp. 25, 55). MassHealth modified the request and approved 10 minutes per meal during both school weeks and vacation weeks, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).

The MassHealth representative explained that PCA time for eating is limited to hands-on physical assistance and does not include time for supervision, encouragement, or monitoring. (Testimony). She stated that the documentation reflected significant supervision needs rather than continuous hands-on assistance. (Testimony). The appellant's mother testified that the appellant has difficulty remaining seated, engages in unsafe behaviors during meals, and requires constant physical assistance to eat safely. (Testimony). She stated that the appellant cannot feed herself and requires assistance throughout the meal. (Testimony).

After considering the appellant's mother's testimony, the MassHealth representative offered the following adjustments: during school weeks, for two days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner; for five days per week, 10 minutes per day for breakfast and 20 minutes per day for dinner; and during vacation weeks, for seven days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner. (Testimony). The appellant's mother stated that she is requesting 30 minutes for dinner, which the MassHealth representative did not agree to approve, and the appellant's mother ultimately did not accept the offered adjustments. (Testimony).

## **Bladder Care**

The PCM agency requested PCA assistance with bladder care in the amount of 10 minutes, two times per day, five days per week, and 10 minutes, three times per day, two days per week during school weeks, and 10 minutes, three times per day, seven days per week during vacation weeks. (Testimony; Ex. 1; Ex. 5, pp. 6, 26, 56). In support of its request, the PCM agency indicated that the appellant is dependent for bladder care, is incontinent, wears diapers, is not toilet trained due to developmental delays and joint pain and swelling related to [REDACTED] [REDACTED] does not initiate toileting independently, and requires a scheduled toileting regimen. (Ex. 5, pp. 26–27, 56–57).

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<sup>1</sup>According to MassHealth's hearing submission, during school weeks, the appellant eats breakfast and dinner at home on five weekdays, and all three meals at home on the two weekend days, while during vacation weeks the appellant eats all three meals at home each day.

MassHealth modified the request and approved bladder care in the amount of five minutes, five times per day, two days per week, and five minutes, three times per day, five days per week during school weeks; and five minutes, five times per day, seven days per week during vacation weeks, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).

The MassHealth representative explained that PCA time for bladder care includes hands-on assistance with toileting tasks but does not include time for supervision or prompting (Testimony). She stated that the documentation did not support the full amount of time requested. (Testimony). The appellant's mother testified that the appellant experiences frequent accidents, resists toileting, and requires full assistance with clothing management and hygiene, which significantly increases the time required for bladder care. (Testimony). The MassHealth representative did not offer an adjustment to the approved time for bladder care. (Testimony).

### **Bowel Care**

The PCM agency requested 13 minutes per day of assistance with bowel care during both school and vacation weeks. (Testimony; Ex. 1; Ex. 5, pp. 6, 26, 56). In support of its request, the PCM agency indicated that the appellant is dependent for bowel care, is incontinent, wears diapers, is not toilet trained due to developmental delays and joint pain and swelling related to [REDACTED] does not initiate toileting independently, and requires a scheduled toileting regimen. (Ex. 5, pp. 26–27, 56–57). MassHealth modified the request and approved seven minutes per day during both school and vacation weeks for bowel care, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).

The MassHealth representative explained that PCA time for bowel care is limited to hands-on assistance and does not include extended time for monitoring or supervision. (Testimony). She stated that the requested time exceeded what MassHealth determined to be ordinarily required. (Testimony). The appellant's mother testified that bowel care is particularly time-consuming due to the appellant's resistance, hygiene needs, and discomfort related to constipation, and that full hands-on assistance is required throughout the process. (Testimony). The MassHealth representative did not offer an adjustment to the approved time for bowel care. (Testimony).

## **Findings of Fact**

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

1. The appellant is a [REDACTED] child with diagnoses including [REDACTED] [REDACTED] (Testimony; Ex. 5; Ex. 6).

2. On November 3, 2025, the PCM agency submitted a prior authorization reevaluation request for PCA services seeking 21 hours per week during school weeks and 24 hours per week during vacation weeks. (Testimony; Ex. 5, pp. 13–14).
3. By notice dated November 7, 2025, MassHealth approved 9 hours and 15 minutes per week during school weeks and 11 hours per week during vacation weeks for the period November 22, 2025 through November 21, 2026. (Testimony; Ex. 1; Ex. 5, pp. 4–7).
4. In its determination, MassHealth modified the requested time for assistance with eleven ADLs. (Testimony; Ex. 1; Ex. 5).
5. During the hearing, MassHealth overturned the modifications for three ADLs and approved the time requested by the PCM agency for mobility/stair assistance at three minutes, two times per day, three days per week; mobility/transfers at two minutes, two times per day, three days per week; and grooming/oral care at two minutes, two times per day, seven days per week. (Testimony; Ex. 5, pp. 17, 22).
6. The appellant’s mother did not contest the modifications MassHealth made to the PCA assistance time authorized for bus transfers or grooming/nail clipping. (Testimony; Ex. 5, pp. 17, 22–23).
7. The appellant requires extensive assistance with ADLs due to aggressive behaviors, flight risk, lack of safety awareness, toileting needs, feeding difficulties, and the administration of injectable and ophthalmic medications related to juvenile idiopathic arthritis and uveitis. (Testimony; Ex. 6).
8. The appellant’s behaviors have worsened, constant supervision is required, and the family is awaiting stabilization of school-based and ABA services. (Testimony; Ex. 6).
9. The ADLs that remained in dispute at the conclusion of the hearing were bathing, dressing, undressing, eating, bladder care, and bowel care. (Testimony).
10. **Bathing**
  - a. The PCM agency requested 45 minutes per day for assistance with bathing during both school and vacation weeks. (Testimony; Ex. 5, pp. 20–21, 50–51).
  - b. In support of its request, the PCM agency wrote: “Consumer is dependent with bathing; requires physical assistance with transferring in/out of the bathtub (physically lifted) and is dependent with washing/drying their body and hair due to developmental delays due to Autism, arthritis with pain/swelling in joints.” (Ex. 5, pp. 21, 51).
  - c. MassHealth modified the request and approved 15 minutes per day, determining that the time requested was longer than ordinarily required and that the documentation

indicated that some of the services requested were services expected to be provided by family members. (Ex. 1; Ex. 5, p. 5).

- d. Any four year-old child like the appellant would require parental assistance with bathing and would not be completely independent. (Testimony).
- e. MassHealth does not pay for the portion of bathing assistance that reflects ordinary parental responsibility. (Testimony).
- f. The appellant's mother stated that a non-disabled child of the appellant's age would ordinarily require parental assistance with bathing and that such assistance would reasonably take approximately 30 minutes, which MassHealth would not pay for. (Testimony).
- g. After considering the testimony and the appellant's prior authorization history, MassHealth agreed to increase the approved bathing time to 20 minutes per day. (Testimony).
- h. The appellant's mother did not accept the offered adjustment to 20 minutes per day, and the issue of the appropriate amount of PCA time for bathing remained in dispute at the conclusion of the hearing. (Testimony).

#### **11. Dressing**

- a. The PCM agency requested 15 minutes per day for assistance with dressing during both school and vacation weeks. (Testimony; Ex. 5, pp. 24, 54).
- b. In support of its request, the PCM agency indicated that the appellant requires full physical assistance with dressing due to developmental delays related to autism, joint pain and stiffness related to juvenile idiopathic arthritis, and difficulty tolerating clothing. (Ex. 5, pp. 24, 54).
- c. MassHealth modified the request and approved seven minutes per day of PCA assistance with dressing, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 5).
- d. Dressing time under the PCA program reflects hands-on physical assistance and does not include time for encouragement, supervision, or behavioral redirection. (Testimony).
- e. After considering the testimony and the appellant's prior authorization history, MassHealth offered to increase the approved time to ten minutes per day. (Testimony).

- f. The appellant's mother did not accept the offered adjustment, and the issue of the appropriate amount of PCA time for dressing remained in dispute at the conclusion of the hearing. (Testimony).

## 12. Undressing

- a. The PCM agency requested 10 minutes per day for assistance with undressing. (Testimony; Ex. 5, pp. 24, 54).
- b. In support of its request, the PCM agency indicated that the appellant requires hands-on assistance to remove clothing due to developmental delays, joint pain, and resistance to care. (Ex. 5, pp. 24, 54).
- c. MassHealth modified the request to five minutes per day based on regulatory standards concerning ordinary time requirements. (Ex. 1; Ex. 5, p. 5).
- d. Undressing is generally quicker than dressing. (Testimony).
- e. After considering the testimony, MassHealth offered to increase the approved time to seven minutes per day. (Testimony).
- f. The appellant's mother stated that she believed ten minutes was more appropriate. (Testimony).

## 13. Eating

- a. The PCM agency requested 20 minutes per meal for assistance with eating during both school weeks and vacation weeks. (Testimony; Ex. 1; Ex. 5, pp. 6, 25, 55).
- b. In support of its request, the PCM agency indicated that the appellant requires assistance due to feeding difficulties, lack of safety awareness, and behavioral challenges. (Ex. 5, pp. 25, 55).
- c. MassHealth modified the request and approved 10 minutes per meal during both school weeks and vacation weeks, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).
- d. PCA time for eating is limited to hands-on physical assistance and does not include time for supervision, encouragement, or monitoring. (Testimony).
- e. After considering the appellant's mother's testimony, MassHealth offered the following adjustments: during school weeks, for two days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner; for five

days per week, 10 minutes per day for breakfast and 20 minutes per day for dinner; and during vacation weeks, for seven days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner. (Testimony).

- f. The appellant's mother stated that she is requesting 30 minutes for dinner, which the MassHealth representative did not agree to approve, and the appellant's mother ultimately did not accept the offered adjustments. (Testimony).

#### 14. Bladder Care

- a. The PCM agency requested PCA assistance with bladder care in the amount of 10 minutes, two times per day, five days per week, and 10 minutes, three times per day, two days per week during school weeks, and 10 minutes, three times per day, seven days per week during vacation weeks. (Testimony; Ex. 1; Ex. 5, pp. 6, 26, 56).
- b. In support of its request, the PCM agency indicated that the appellant is dependent for bladder care, is incontinent, wears diapers, is not toilet trained due to developmental delays and joint pain and swelling related to [REDACTED] does not initiate toileting independently, and requires a scheduled toileting regimen. (Ex. 5, pp. 26–27, 56–57).
- c. MassHealth modified the request and approved bladder care in the amount of five minutes, five times per day, two days per week, and five minutes, three times per day, five days per week during school weeks, and five minutes, five times per day, seven days per week during vacation weeks, determining that the time requested exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).
- d. PCA time for bladder care includes hands-on assistance with toileting tasks but does not include time for supervision or prompting alone. (Testimony).

#### 15. Bowel Care

- a. The PCM agency requested 13 minutes per day of assistance with bowel care during both school and vacation weeks. (Testimony; Ex. 1; Ex. 5, pp. 6, 26, 56).
- b. In support of its request, the PCM agency indicated that the appellant is dependent for bowel care, is incontinent, wears diapers, is not toilet trained due to developmental delays and joint pain and swelling related to [REDACTED] does not initiate toileting independently, and requires a scheduled toileting regimen. (Ex. 5, pp. 26–27, 56–57).
- c. MassHealth modified the request and approved seven minutes per day during both school and vacation weeks for bowel care, determining that the time requested

exceeded what was ordinarily required for someone with the appellant's physical needs. (Ex. 1; Ex. 5, p. 6).

- d. PCA time for bowel care is limited to hands-on assistance and does not include extended time for monitoring or supervision. (Testimony).

## **Analysis and Conclusions of Law**

MassHealth may make an adjustment in the matters at issue before or during an appeal period. (130 CMR 610.051(B)). If the parties' adjustment resolves one or more of the issues in dispute in favor of the appellant, the hearing officer, by written order, may dismiss the appeal noting as the reason for such dismissal that the parties have reached agreement in favor of the appellant. (Id.). After considering the appellant's mother's testimony, the MassHealth representative overturned the modifications to PCA assistance with mobility/stair assistance, mobility/transfers, and grooming/oral care and approved the times as requested. As these adjustments resolve the dispute in favor of the appellant with regard to these modifications, the appeal is hereby DISMISSED as to these modifications.

BOH will also dismiss a request for a hearing when the request is withdrawn by the appellant. (130 CMR 610.035(A)(2)). At the hearing, the appellant's mother's accepted MassHealth's modification of time authorized for bus transfers and grooming/nail clipping. With respect to these modifications, the request for the hearing is hereby DISMISSED.

The PCM agency must request prior authorization from the MassHealth agency as a prerequisite to payment for PCA services. (130 CMR 422.416(A)). Prior authorization determines only the medical necessity of the authorized service. (Id.). MassHealth covers activity time performed by a PCA in aiding with ADLs. (130 CMR 422.411(A)<sup>2</sup>). ADLs include certain specified activities that are fundamental to an individual's self-care and include physically assisting a member with bathing, personal hygiene, or grooming; physically assisting a member to dress or undress; physically assisting a member to eat; and physically assisting a member with bowel or bladder needs. (130 CMR 422.410(A)(3),(4),(6),(7)).

MassHealth does not pay a provider for services that are not medically necessary and may impose sanctions on a provider for prescribing a service where such service is not medically necessary. (130 CMR 450.204). A service is medically necessary if, amongst other things, 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. (130 CMR 450.204(A)(1)). Medically necessary services must be of a quality that meets professionally recognized standards of health care and must be substantiated by records

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<sup>2</sup> Although 130 CMR 422.411(A) also authorizes PCA services for Instrumental Activities of Daily Living (IADLs), no IADLs are at issue in this appeal.

including evidence of such medical necessity and quality. (130 CMR 450.204(B)).

MassHealth does not cover PCA services that consist solely of supervision, cueing, prompting, guiding, or coaching without hands-on physical assistance. (130 CMR 422.410(A)). MassHealth considers whether the time requested for assistance with an ADL is longer than ordinarily required for someone with the member's physical needs. (130 CMR 422.410(A)(1)–(7); 450.204(A)(1)). MassHealth does not pay for PCA services that are services expected to be provided by family members. (130 CMR 422.412(F)). For a minor child, parents are expected to provide routine care and supervision that is typical of parental responsibility. (130 CMR 422.402; 422.412(F)). PCA services may not be authorized to substitute for parental supervision or caregiving responsibilities. (130 CMR 422.412(F)).

MassHealth may approve, deny, or modify a request for PCA services when the requested services are not medically necessary, include non-compensable supervision, exceed what is ordinarily required for the member's physical needs, or are services expected to be provided by family members. (130 CMR 450.204; 422.410; 422.412).

### **Bathing**

A preponderance of the evidence supports MassHealth's determination that the PCM agency's request for 45 minutes per day for bathing exceeds what is ordinarily required for someone with the appellant's physical needs. The record establishes that a significant portion of the requested bathing time consists of parental assistance that would be required for any child of the appellant's age, which is not compensable under the PCA program. While the appellant's disability-related needs require hands-on assistance beyond ordinary parental care, the evidence does not establish medical necessity for the full 45 minutes requested. A preponderance of the evidence supports the MassHealth representative's adjustment to increase the approved bathing time to 20 minutes per day based on the appellant's disability-related needs and prior authorization history. However, the evidence does not support medical necessity for additional time beyond that amount.

The appeal is therefore APPROVED IN PART and DENIED IN PART with respect to bathing.

### **Dressing**

A preponderance of the evidence supports MassHealth's modification of the PCM agency's request for 15 minutes per day for dressing. The record reflects that the appellant requires hands-on assistance with dressing but also supports MassHealth's determination that the requested time exceeds what is ordinarily required for someone with the appellant's physical needs and includes non-compensable behavioral redirection. A preponderance of the evidence supports the MassHealth representative's offered adjustment to increase the approved time to ten minutes per day, which reasonably accounts for the appellant's physical limitations and disability-related needs. The evidence does not support medical necessity for the full 15

minutes per day requested by the PCM agency.

The appeal is therefore APPROVED IN PART and DENIED IN PART with respect to dressing.

### **Undressing**

A preponderance of the evidence supports MassHealth's modification of the PCM agency's request for five minutes per day for undressing based on ordinary time requirements for this activity. The record supports the determination that undressing generally requires less time than dressing and that the requested time exceeded what is ordinarily required for someone with the appellant's physical needs. A preponderance of the evidence supports the MassHealth representative's adjustment at hearing to increase the approved time to seven minutes per day in light of the appellant's physical needs. The evidence does not establish medical necessity for additional time beyond that amount.

The appeal is therefore APPROVED IN PART and DENIED IN PART with respect to undressing.

### **Eating**

A preponderance of the evidence supports MassHealth's determination that the PCM agency's request for 20 minutes per meal exceeds what is ordinarily required for someone with the appellant's physical needs. The record demonstrates that a significant portion of the time requested reflects supervision and behavioral monitoring, which are not compensable PCA services absent hands-on physical assistance. A preponderance of the evidence supports the MassHealth representative's offered adjustments that vary by meal and week type, which reasonably account for the appellant's physical assistance needs while excluding non-compensable supervision (in the following amounts: during school weeks, for two days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner; for five days per week, 10 minutes per day for breakfast and 20 minutes per day for dinner; and during vacation weeks, for seven days per week, 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner). The evidence does not establish medical necessity for the PCM agency's requested time, including the requested 30 minutes for dinner.

The appeal is therefore APPROVED IN PART and DENIED IN PART with respect to eating.

### **Bladder Care**

A preponderance of the evidence supports MassHealth's modification of the PCM agency's requested time for bladder care (in the amount of five minutes, five times per day, two days per week, and five minutes, three times per day, five days per week during school weeks, and five minutes, five times per day, seven days per week during vacation weeks). While the appellant requires hands-on assistance due to incontinence and lack of toilet training, the record supports MassHealth's determination that the time requested exceeds what is ordinarily

required for someone with the appellant's physical needs and includes non-compensable supervision or prompting. The evidence does not support medical necessity for additional bladder care time beyond the amounts approved by MassHealth.

The appeal is therefore DENIED with respect to bladder care.

### **Bowel Care**

The weight of the evidence supports MassHealth's modification of the PCM agency's request for bowel care time. Although the appellant requires hands-on assistance, the evidence supports MassHealth's determination that the requested time exceeds what is ordinarily required and includes non-compensable monitoring. The record does not establish medical necessity for additional bowel care time beyond the amount approved by MassHealth, seven minutes per day during both school and vacation weeks for bowel care.

The appeal is therefore DENIED with respect to bowel care.

## **Order for MassHealth**

Remove aid pending and implement the PCA service determinations set forth in the November 7, 2025 Prior Authorization Decision Notice, but with the adjustments to the PCA time for the following ADLs:

1. Mobility/Stair Assistance: three minutes, two times per day, three days per week.
2. Mobility/Transfers: two minutes, two times per day, three days per week.
3. Grooming/Oral Care: two minutes, two times per day, seven days per week.
4. Bathing: 20 minutes per day.
5. Dressing: 10 minutes per day.
6. Undressing: seven minutes per day.
7. Eating:
  - a. During school weeks:
    - i. Two days per week: 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner.
    - ii. Five days per week: 10 minutes per day for breakfast and 20 minutes per day for dinner.
  - b. During vacation weeks: 10 minutes per day for breakfast, 15 minutes per day for lunch, and 20 minutes per day for dinner seven days per week.
8. Bowel and Bladder care: the time authorized by MassHealth stands.

## **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 report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

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Scott Bernard  
Hearing Officer  
Board of Hearings

cc: Optum MassHealth LTSS, P.O. Box 159108, Boston, MA 02215