

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2516901
Decision Date:	2/9/2026	Hearing Date:	12/16/2025
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:



Appearance for MassHealth:

Robin Brown, OTR/L



*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:	Prior Authorization - PCA
Decision Date:	2/9/2026	Hearing Date:	12/16/2025
MassHealth's Rep.:	Robin Brown	Appellant's Rep.:	Mother
Hearing Location:	Quincy	Aid Pending:	Yes

Authority

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

Jurisdiction

Through notice dated October 24, 2025, MassHealth modified a request for prior authorization for Personal Care Attendant (PCA) services by denying some of the requested time for service (Exhibit B). Appellant filed for this appeal in a timely manner on November 14, 2025 seeking approval for the denied time (see 130 CMR 610.015(B) and Exhibit A). Appellant was granted AID PENDING status forestalling implementation of the change pending the outcoming of this appeal. Denial of prior authorization for assistance constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth modified a request for prior authorization for PCA services by denying some of the requested time for service.

Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it modified Appellant's request for prior authorization for PCA services by denying some of the requested time for service.

Summary of Evidence

Both parties appeared by telephone. Prior to hearing, MassHealth filed a packet of documentation which includes, inter alia, copies of the PA request and nurse's evaluation (collectively, Exhibit B). Appellant filed a letter from Appellant's treating Physician, [REDACTED] MD (Exhibit C).

MassHealth was represented by a Registered Occupational Therapist and clinical appeals reviewer who testified that Appellant is in Aid Pending status for 8.75 hours of PCA services. According to documentation submitted with the PA request, Appellant is a [REDACTED] boy with a primary diagnosis of autism who lives with his mother and siblings, one of whom is also a PCA recipient. Appellant attends pre-school 2.5 hours twice per week and receives ABA therapy for 12 hours over two days per week. Appellant was observed walking, sitting, running, and jumping independently. He displayed good balance and a steady gait.

The MassHealth representative testified that a PA request for a pediatric PCA re-evaluation was submitted to MassHealth on 10/17/2025 by [REDACTED] requesting 27 hours and 0 minutes per week for one year.

MassHealth modified the request on 10/24/2025 to 7 hours and 30 minutes per week for one year with dates of service from 12/3/2025 through 12/2/2026.

MassHealth modified the following 8 areas of assistance: bathing; grooming-nail care; grooming-hair; grooming -other; dressing; undressing; bowel care and overnight bladder care.

After exchanging testimony, Appellant stated that she did not dispute any of the modifications except for the reduction in time to assist with grooming-nail care. Appellant requested 10 minutes per week to clip Appellant's nails. MassHealth denied all time to assist with this activity on the grounds that it is a parental responsibility. The MassHealth representative testified that Appellant lives with a parent and a [REDACTED] child would always require assistance with nail clipping regardless of a medical diagnosis resulting in functional limitations. Appellant's mother testified that it is difficult to cut Appellant's nails because of his autism. She testified that it often cannot be done all at once and has to be spread out over several days.

The MassHealth representative offered additional testimony explaining why there was a reduction from the 8.75 hours that Appellant received last year and the 7.5 hours MassHealth approved under the subject PA. The MassHealth representative explained that on this PA request, the PCM agency only requested time to assist with two meals per day instead of three. Appellant was advised to contact the PCM agency to discuss and ask for a possible adjustment for the missing third meal.

A review of the one-page typed letter drafted by Appellant's treating physician [REDACTED] MD reveals that it generally describes Appellant as needing close and constant supervision for

safety and requires 24-hour-per-day care including 32 hours per week of in home services plus nighttime hours (Exhibit C).

Findings of Fact

By a preponderance of the evidence, this record supports the following findings:

1. Appellant is in Aid Pending status for 8.75 hours of PCA services.
2. The PA request reveals that Appellant is a [REDACTED] boy with a primary diagnosis of autism who lives with his mother and siblings, one of whom is also a PCA recipient.
3. Appellant attends pre-school 2.5 hours twice per week and receives ABA therapy for 12 hours over two days per week.
4. Appellant was observed walking, sitting, running, and jumping independently; he displayed good balance and a steady gait.
5. A PA request for a pediatric PCA re-evaluation was submitted to MassHealth on 10/17/2025 by [REDACTED] requesting 27 hours and 0 minutes per week for one year.
6. MassHealth modified the request on 10/24/2025 to 7 hours and 30 minutes per week for one year with dates of service from 12/3/2025 through 12/2/2026.
7. MassHealth modified the following 8 areas of assistance: bathing; grooming-nail care; grooming-hair; grooming -other; dressing; undressing; bowel care and overnight bladder care.
8. After exchanging testimony, Appellant stated that she did not dispute any of the modifications except for the reduction in time to assist with grooming-nail care.
9. Appellant requested 10 minutes per week to clip Appellant's nails.
10. MassHealth denied all time to assist with this activity on the grounds that it is a parental responsibility.
11. It is difficult to cut Appellant's nails because of his autism and the activity often has to spread out over several days.

Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity (*Merisme v. Board of Appeals of Motor Vehicle Liability Policies and Bonds*, 27 Mass. App. Ct. 470, 474 (1989)). On this record Appellant has not met her burden.

The only modification in dispute is the requested 10 minutes once per week to clip Appellant's nails.

MassHealth regulations direct that MassHealth will not pay for services customarily provided by family members or those that are customarily provided by a parent to a child (130 CMR 422.412(G) and (J)). Such activities fall under the realm of parental responsibilities. Appellant is a [REDACTED] child. MassHealth correctly concluded that a [REDACTED] would not be expected to cut his own nails and this task would fall to a parent to perform. As such, it is a parental responsibility and not compensable under the MassHealth PCA program.

Testimony offered by the mother did not alter the fact that nail clipping for a [REDACTED] child would always fall to a parent. The letter from [REDACTED] offered a general assessment of Appellant's safety concerns and did not bear on the matter of clipping Appellant's nails (Exhibit C). On this record, Appellant has not met his burden of demonstrating that MassHealth's action is invalid through an error of fact and/or law. Accordingly, the appeal is DENIED.

Oder for MassHealth

Remove Aid Pending and proceed with approval of 7.5 hours per week of PCA services.

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.

Kenneth Brodzinski
Hearing Officer
Board of Hearings

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