

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Approved	<b>Appeal Number:</b>	2517018
<b>Decision Date:</b>	12/22/2025	<b>Hearing Date:</b>	12/15/2025
<b>Hearing Officer:</b>	Marc Tonaszuck	<b>Record Open to:</b>	

**Appearance for Appellant:**



**Appearance for MassHealth:**

Anna Martinez



*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	<b>Issue:</b>	Long Term Care – Verifications
<b>Decision Date:</b>	12/22/2025	<b>Hearing Date:</b>	12/15/2025
<b>MassHealth’s Rep.:</b>	Anna Martinez	<b>Appellant’s Rep.:</b>	[REDACTED]
<b>Hearing Location:</b>	Tewksbury MassHealth Enrollment Center	<b>Aid Pending:</b>	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 11/07/2025, MassHealth informed the appellant that it reviewed her application for MassHealth benefits and that she is not eligible because she failed to submit verifications (130 CMR 515.008; Exhibit 1). On 11/18/2025, a timely appeal was filed on the appellant’s behalf (130 CMR 610.015(B); Exhibits 2 and 4). Denial of assistance is valid grounds for appeal (130 CMR 610.032).

### Action Taken by MassHealth

MassHealth denied the appellant’s application for Long Term Care (LTC) benefits for failure to submit requested verifications.

### Issue

The issue is whether or not the requested verifications were submitted to MassHealth.

### Summary of Evidence

The MassHealth representative testified that the appellant was eligible for and receiving MassHealth Long Term Care benefits as a nursing facility resident. In October 2025, MassHealth requested from the appellant several verifications, showing her assets and income. The deadline to submit verifications was by 11/01/2025. On 11/01/2025, MassHealth informed the appellant that it had not received the requested verifications, and it informed her that her benefits would terminate on 11/07/2025.

As of the date of the hearing, the appellant's representative submitted several verifications to MassHealth. The MassHealth representative was not able to approve the case using the submitted verifications and, at the fair hearing, the hearing officer informed the MassHealth representative that the verifications were adequately responsive to the request for information.

At the close of the fair hearing, the MassHealth representative informed the hearing officer that all verifications have been received to process the appellant's case.

The Hearing Officer requested information from the MassHealth representative three times to ask her if she could preserve the start date of benefits when processing the application. The MassHealth representative did not respond to any of the hearing officer's three emails.

## **Findings of Fact**

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

1. The appellant was eligible for and receive MassHealth long term care benefits.
2. MassHealth sent out a request for information (VC1) on in October 2025 with a deadline to submit verifications on or by 11/01/2025.
3. MassHealth did not receive all verifications requested, therefore, a termination notice was mailed out on 11/01/2025.
4. The appellant submitted verifications prior to the fair hearing.
5. The MassHealth representative informed the hearing officer that all verifications have been received, but she was unwilling to inform the hearing officer what the start date of benefits would be or the preserved application date.

## **Analysis and Conclusions of Law**

MassHealth regulations at 130 CMR 515.008 address responsibilities of applicants and members as follows:

(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.

Regulations at 130 CMR 516.001(B) address corroborative information as follows:

The MassHealth agency requests all corroborative information necessary to determine eligibility.

- (1) The MassHealth agency sends the applicant written notification requesting the corroborative information generally within five days of receipt of the application.
- (2) The notice advises the applicant that the requested information must be received within 30 days of the date of the request, and of the consequences of failure to provide the information.

This appeal involves a denial of MassHealth LTC benefits based on the appellant's failure to provide requested verifications within the regulatory time frame. MassHealth sent a request for verifications to the appellant, requesting certain documents and information to establish eligibility for LTC benefits. The appellant failed to provide all of the requested information, and on 11/01/2025, MassHealth terminated the appellant's application for failure to provide verifications.

At the fair hearing, the appellant's representative informed the hearing officer that he submitted all requested verifications to process the application.<sup>1</sup> He requested that the benefits be started on 11/07/2025, to avoid any lapse of coverage. The MassHealth representative informed the hearing officer that all verifications were received, and she will process the case.

The issue at the fair hearing was whether the appellant submitted the requested verifications. All verifications that had been requested prior to the hearing were submitted to MassHealth. Regardless of whether MassHealth has further questions, the appellant provided the missing verifications at issue. MassHealth may request further information at any time, including a request to clarify what accounts he has. Accordingly, the appellant has complied with the MassHealth verification request, and this appeal is approved.

## **Order for MassHealth**

Process the appellant LTC application using start date of 11/07/2025. If MassHealth needs

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<sup>1</sup> See 130 CMR 610.071.

further information, it may send a request to the appellant.

## Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation 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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Marc Tonaszuck  
Hearing Officer  
Board of Hearings

CC: [REDACTED]

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957