

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Approved/Dismissed	Appeal Number:	2517602
Decision Date:	2/11/2026	Hearing Date:	02/09/2026
Hearing Officer:	Thomas J. Goode		

Appearance for Appellant:



Appearance for MassHealth:

Alyssa Smalley, Tewksbury 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:	Approved/Dismissed	Issue:	Kaleigh Mulligan Program
Decision Date:	2/11/2026	Hearing Date:	02/09/2026
MassHealth's Rep.:	Alyssa Smalley	Appellant's Rep.:	[REDACTED]
Hearing Location:	Remote	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 November 18, 2025, MassHealth notified Appellant that MassHealth coverage would terminate on December 1, 2025, because income exceeded program limits resulting in a deductible for the period December 2025 through May 2026 (130 CMR 519.007. 520.028 and Exhibit 1). Appellant filed this appeal in a timely manner on December 1, 2025, and has been receiving continued benefits pending the outcome of the appeal (130 CMR 610.015(B) and Exhibit 2). Termination of assistance is valid grounds for appeal (130 CMR 610.032). A hearing was scheduled for January 8, 2026 (Exhibit 3). Appellant requested a rescheduled hearing date which was allowed. On January 14, 2026, the Board of Hearings notified Appellant of a hearing scheduled for February 9, 2026. Appellant's attorney submitted a motion to reschedule the hearing which was denied by the Director of the Board of Hearings.

Action Taken by MassHealth

MassHealth notified Appellant that MassHealth coverage would terminate on December 1, 2025, because income exceeded program limits and resulted in a deductible for the period December 2025 through May 2026.

Issue

The appeal issue is whether, pursuant to a notice dated November 18, 2025, MassHealth coverage should terminate effective December 1, 2025 due to income that exceeds program limits resulting in a deductible for the period December 2025 through May 2026.

Summary of Evidence

Appellant is under 18 years of age and is enrolled in MassHealth Standard coverage through the Kaleigh Mulligan Program. MassHealth testified that Appellant receives \$452 monthly Social Security income. Because income exceeded \$72.80 per month, a \$253 deductible was assessed for the period December 2025 through May 2026 pursuant to 130 CMR 519.007 and 130 CMR 520.028. Prior to the hearing, Appellant met the deductible and remains eligible for MassHealth Standard through the Kaleigh Mulligan Program.

Appellant was represented by an attorney who argued that the November 18, 2025 notice should not have issued, and the timing of the notice was improper in that it caused interruptions in Appellant's MassHealth coverage. Appellant's attorney renewed her request to reschedule the hearing based on her motion to reschedule which was denied by the Director of the Board of hearings prior to the hearing. The hearing officer denied the request on the hearing record. Appellant's attorney requested that the hearing record remain open to allow submission of a brief addressing MassHealth policies related to issuing notices to individuals eligible for MassHealth benefits through the Kaleigh Mulligan Program and requested that the hearing officer issue a hearing decision with findings that MassHealth policy is improper and causes unwarranted interruptions in MassHealth eligibility. The request for a hearing record open period was denied by the hearing officer, and the hearing record closed.

Findings of Fact

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

1. Appellant is under 18 years of age and is enrolled in MassHealth Standard coverage through the Kaleigh Mulligan Program.
2. Appellant receives \$452 monthly Social Security income. Because income exceeded \$72.80 per month, Appellant was notified that coverage would terminate on December 1, 2025, and a \$253 deductible for the period December 2025 through May 2026.
3. Appellant has been receiving continued benefits pending the outcome of the appeal.
4. Prior to the hearing, Appellant met the deductible and remains eligible for MassHealth Standard through the Kaleigh Mulligan Program with no gaps or breaks in coverage.

Analysis and Conclusions of Law

Pursuant to 130 CMR 519.007(A)(1)(c), financial eligibility through the Kaileigh Mulligan Program is predicated on a countable-income amount of \$72.80 or less; or if greater than \$72.80, that a deductible is met in accordance with 130 CMR 520.028. Here, Appellant's Social Security income exceeded \$72.80 resulting in a \$253 deductible for the period December 2025 through May 2026. Pursuant to 130 CMR 610.051(B), the MassHealth agency or the acting entity may make an adjustment in the matters at issue before or during an appeal period. 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 in accordance with 130 CMR 610.035 as to all resolved issues, noting as the reason for such dismissal that the parties have reached agreement in favor of the appellant. Prior to the rescheduled hearing, Appellant met the deductible and remains eligible for MassHealth Standard through the Kaleigh Mulligan Program with no breaks or gaps in coverage.¹ Therefore, the parties have reached resolution of all matters relating to this appeal of the termination/deductible notice dated November 18, 2025. Pursuant to 130 CMR 610.051, 610.035(A)(8), the appeal is APPROVED and DISMISSED.²

Order for MassHealth

Rescind the termination by notice dated November 18, 2025, and do not terminate Standard coverage effective December 1, 2025. Ensure that coverage is continued with no breaks or gaps in coverage resulting from the November 18, 2025 notice, and remove aid pending protection.

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

¹ There was no challenge to the deductible amount calculated.

² Regarding Appellant's attorney's requests that the hearing officer reschedule or continue the hearing through a record open period to allow Appellant to submit a brief concerning MassHealth policies relating to the issuance of future notices to prevent future issues, and for the hearing officer to issue a hearing decision with findings concerning MassHealth policy, it is within a hearing officer's duties and powers to rule on any such requests made during the hearing (130 CMR 610.065(B)(10)). It is outside a hearing officer's duties or powers to issue a hearing decision for the purpose of editorializing on MassHealth policies, particularly when all issues related to the notice on appeal have resolved to Appellant's favor (See 130 CMR 610.065).

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.

Thomas J. Goode
Hearing Officer
Board of Hearings



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