

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2518082
Decision Date:	02/13/2026	Hearing Date:	01/05/2026
Hearing Officer:	Amy B. Kullar, Esq.	Record Open to:	01/20/2026; 01/26/2026

Appearance for Appellant:



Appearance for MassHealth:

Stacy Kirby, Taunton MassHealth Enrollment Center



*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:	Long-Term Care; Verifications
Decision Date:	02/13/2026	Hearing Date:	01/05/2026
MassHealth's Rep.:	██████████	Appellant's Rep.:	██████████
Hearing Location:	Taunton MassHealth Enrollment Center Room 2 (Telephone)	Aid Pending:	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 November 28, 2025, MassHealth denied the appellant's application for MassHealth long-term care (LTC) benefits because MassHealth determined that the appellant did not submit the necessary documentation required to make an eligibility decision within the required timeframe. *See* 130 CMR 515.008; Exhibit 1. The appellant filed this appeal in a timely manner, having submitted a request for fair hearing on December 8, 2025. *See* 130 CMR 610.015(B) and Exhibit 2. Denial of assistance is valid grounds for appeal. *See* 130 CMR 610.032.

Action Taken by MassHealth

MassHealth denied the appellant's application for long-term care benefits.

Issue

The appeal issue is whether MassHealth was within its discretion to deny the appellant's application for long-term care benefits for failure to submit the necessary eligibility verifications.

Summary of Evidence

The appellant is a single adult who is under the age of 65 and currently resides in a nursing facility; she was represented at hearing by the business office manager at her nursing facility. MassHealth was represented by a worker from the Taunton MassHealth Enrollment Center. All parties appeared by telephone. The following is a summary of the testimony and evidence presented at hearing.

The MassHealth representative testified to the following: on October 13, 2025, an application for MassHealth LTC benefits was filed on the appellant's behalf, requesting benefits beginning September 3, 2025. MassHealth sent a request for additional information to the appellant on October 23, 2025. This information was due back to MassHealth on November 23, 2025. All of the requested information was not received, and the LTC application was then denied for missing verifications on November 28, 2025, which is the date of the notice on appeal. MassHealth is unable to make a final determination as to the appellant's eligibility for LTC MassHealth because her application is still incomplete. As of the date of hearing, there are still bank statements from one financial institution that are outstanding:

- **Proof of Bank Account Information from Checking Account [Bank Name] [REDACTED]**
Please submit statement from 5/1/2025-current. Please send receipts for all transactions \$1500 or more. Please show proof combined assets are below \$2000.

Testimony and Exhibit 5.

The MassHealth representative testified that MassHealth received transaction summaries for the bank account in question, but MassHealth requires full statements be submitted that show account balances. She confirmed that only the [Bank Name] statements were still pending for the appellant's LTC MassHealth application. Testimony.

The appellant's representative did not dispute the MassHealth timeline of the appellant's application for benefits. The appellant's representative had emailed the Hearing Officer and the MassHealth representative prior to the hearing¹. This email provided an explanation regarding the status of the outstanding bank statements and states:

Thank you, I had no idea that what I had sent was not bank statements so last Friday we did reach out to [Bank Name] to have bank statements sent in to hopefully be here by the beginning of next week. I know that was the last thing that you didn't (sic) need and I do apologize for not having that in in time.

¹ On January 5, 2026, prior to the hearing, the appellant's representative responded to an email sent by the MassHealth representative to the Hearing Officer and the appellant's representative, which contained the MassHealth representative's pre-hearing submission and contact information. See Exhibits 5 and 6.

Exhibit 6.

The appellant's representative confirmed that she did not have the bank statements yet, and she requested additional time to submit them to MassHealth. The Hearing Officer offered to hold the record open until January 20, 2026, so that the appellant's representative could gather the outstanding bank statements, specifically:

- **Proof of Bank Account Information from Checking Account [Bank Name] [REDACTED]:**
Please submit statement from 5/1/2025-current. Please send receipts for all transactions \$1500 or more. Please show proof combined assets are below \$2000.

The MassHealth representative would have until January 27, 2026 to issue a written response to the appellant's record open submission. All parties agreed to this plan, and the hearing concluded shortly thereafter. Exhibit 7.

On the evening of January 20, 2026, via email, the appellant's representative requested additional time to provide the outstanding bank statements. Exhibit 8. On January 21, 2026, the Hearing Officer granted an extension of time for appellant submissions to January 26, 2026; MassHealth would have until February 2, 2026 to issue a written response. Exhibit 9. On January 28, 2026, having received no submissions or communications from the appellant's representative, the Hearing Officer emailed the appellant's representative and the MassHealth representative to request an update on the status of the appeal. Exhibit 10. The MassHealth representative responded to this email on the same date, and she confirmed that she has not received any further information. Exhibit 11. On February 6, 2026, having received no response to the January 28, 2026 email from the appellant's representative, the Hearing Officer closed the administrative record.

Findings of Fact

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

1. The appellant is a single adult who is under the age of 65 and resides in a nursing facility. Testimony, Exhibit 5.
2. On October 13, 2025, an application for MassHealth Long-Term Care benefits was filed on the appellant's behalf, requesting a coverage start-date of September 3, 2025. Testimony, Exhibit 5.
3. On November 28, 2025, the appellant's application was denied for failure to provide verification information after a request for information by MassHealth. Exhibits 1 & 5,

Testimony.

4. The appellant filed a timely fair hearing request on December 8, 2025. Exhibit 2.
5. Following the appeal hearing, the appellant's representative requested that the record be kept open until January 20, 2026, for submission of missing verifications, which the Hearing Officer granted. Testimony, Exhibit 7.
6. Following the appeal hearing, on January 20, 2026, the appellant's representative requested an extension of time to the record open period, until January 26, 2026, for submission of missing verifications, which the Hearing Officer granted. Exhibits 8, 9.
7. Nothing further was received from the appellant.
8. As of the issuance of this decision, the following verifications are still outstanding:
 - **Proof of Bank Account Information from Checking Account [Bank Name]**
x [REDACTED]: Please submit statement from 5/1/2025-current. Please send receipts for all transactions \$1500 or more. Please show proof combined assets are below \$2000.

Analysis and Conclusions of Law

An applicant for any MassHealth benefits is required to "cooperate with the MassHealth agency in providing information necessary to establish and maintain eligibility..." 130 CMR 515.008(A). After receiving an application for benefits, MassHealth proceeds 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.

130 CMR 516.001(B). "If the requested information...is received [by MassHealth] within 30 days of the date of the request, the application is considered complete...If such information is not received within 30 days of the request, MassHealth benefit may be denied." 130 CMR 516.001(C).

MassHealth applicants must meet certain financial requirements to be eligible for long-term care services. Specifically, there is a \$2000 asset limit for an individual and a \$3000 asset limit for certain couples living together in the community. See 130 CMR 520.003(A).

In this case, despite being granted extra time following the appeal hearing, the appellant has not provided MassHealth with critical financial information it needs to make an eligibility determination for long-term care benefits. As a result, MassHealth was within its discretion to deny the appellant's application, which has been open since October 13, 2025.

For the foregoing reasons, the appeal is hereby DENIED.


Order for MassHealth

None.

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.

Amy B. Kullar, Esq.
Hearing Officer
Board of Hearings


cc: MassHealth Representative: Justine Ferreira, Taunton MassHealth Enrollment Center, 21 Spring St., Ste. 4, Taunton, MA 02780