

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2518225
<b>Decision Date:</b>	1/27/2026	<b>Hearing Date:</b>	01/22/2026
<b>Hearing Officer:</b>	Amy B. Kullar, Esq.		

**Appearances for Appellant:**



**Appearance for MassHealth:**

Heather Adams, R.N., Clinical Reviewer, Optum



*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>	Dismissed	<b>Issue:</b>	Prior Authorization; Personal Care Attendant (PCA) Services
<b>Decision Date:</b>	1/27/2026	<b>Hearing Date:</b>	01/22/2026
<b>MassHealth's Rep.:</b>	Heather Adams, R. N.	<b>Appellant's Reps.:</b>	[REDACTED]
<b>Hearing Location:</b>	Quincy Harbor South 3 (Telephone)	<b>Aid Pending:</b>	No

### Procedural Background/Summary

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. Through a notice dated November 26, 2025, MassHealth modified the appellant's prior authorization request for personal care attendant (PCA) services. *See* 130 CMR 450.024(A), 130 CMR 422.410(A)(7), 130 CMR 422.410(B)(1) and Exhibit 1. The appellant filed this appeal in a timely manner on December 15, 2025. *See* 130 CMR 610.015(B) and Exhibit 2. MassHealth's decision to restrict or modify a member's assistance is valid grounds for appeal. *See* 130 CMR 610.032.

The MassHealth representative appeared via telephone and identified herself as a registered nurse and clinical appeals reviewer. The appellant is a MassHealth member aged [REDACTED], and he was represented at hearing by his appeal representative, his mother, and a senior disability advocate from his Personal Care Management (PCM) agency. The parties' testimony and record evidence are summarized as follows:

The appellant's medical history includes a primary diagnosis of Autistic Disorder, which contributes to issues with "global delay, speech delay with minimal speech or verbal output, decreased cognition." Testimony and Exhibit 5 at 12. The appellant is unable to initiate or complete tasks, he has no safety awareness, and he is a "runner flight risk." *Id.* The appellant lives at home with his mother and four siblings. Testimony.

The appellant had a re-evaluation for PCA services on October 25, 2025, and on November 21,

2025, his PCM agency, [REDACTED] requested 27 hours and 15 minutes per week of PCA services for the period of 1/23/2026 to 1/22/2027. MassHealth modified this request on December 3, 2025, to 10 hours and 15 minutes per week for the service period 1/23/2026 to 1/22/2027. Testimony, Exhibit 5. MassHealth made five (5) modifications related to PCA assistance with overnight oral fluids, and overnight toileting, bathing, grooming: nail care, and eating. After testimony and additional information were disclosed at hearing, MassHealth and the appellant's representatives came to an agreement on all five (5) disputed categories.

The tasks of overnight assistance with fluids and overnight assistance with toileting involve the appellant's PCA providing drinks to the appellant during the night and also assisting the appellant with using the toilet during nighttime hours, including all hygiene tasks associated with toileting. The MassHealth representative explained that the appellant's PCM agency requested fourteen (14) hours per week for PCA assistance with overnight tasks. Initially, MassHealth denied this request and approved zero minutes for PCA assistance with overnight tasks because of the appellant's young age; MassHealth regulations state that tasks that are performed between the hours of 12:00 AM and 6:00 AM are parental responsibility for a minor child, and the initial request did not contain documentation that demonstrated that overnight assistance with these tasks is medically necessary for the appellant. Testimony.

During the pre-hearing period, the appellant's PCM agency submitted a deferral response to MassHealth that provided evidence that the appellant (i) needs physical assistance to avoid spills with oral fluids, and that (ii) regarding toileting, the appellant no longer wears diapers but is also high risk due to his lack of impulse control, and he requires more than monitoring when using the toilet. There is evidence of elopement and significant supervision needs in the deferral response. Testimony and Exhibit 5 at 51. The appellant's representative responded to this testimony by describing the difficulties she has with toileting her son. She stated that the appellant has many night behaviors including disruptive sleep, a need for hands-on intervention if he is awake, safety risks including lack of awareness of self-harm, and a sleep disorder. The appellant's representative is suffering from exhaustion and is also the single parent of four other young children. Testimony. After this discussion, the MassHealth representative agreed that the appellant needs assistance with overnight toileting and oral fluid administration, and she stated that she could restore fourteen (14) hours per week of PCA assistance with overnight tasks. This is the most time MassHealth allows by regulation for overnight assistance with PCA tasks. Testimony. The appellant's representatives agreed to this adjustment, and with both parties in agreement, the categories of overnight PCA assistance with fluids and overnight PCA assistance with toileting are no longer in dispute.

The bathing task involves the PCA physically assisting the appellant with washing his body and hair and drying him off after. The appellant's PCM agency requested twenty-three minutes per episode, once per day, seven days per week (23x1x7). MassHealth modified this request to twenty minutes per episode, once per day, seven days per week (20x1x7). After discussion between the

MassHealth representative and the appellant's representatives, it was agreed that this category would be approved as requested, twenty-three minutes per episode, once per day, seven days per week (23x1x7). Therefore, with both parties in agreement, the category of bathing is no longer in dispute.

The grooming: nail care task involves the PCA physically cutting the appellant's fingernails and toenails. The appellant's PCM agency requested ten (10) minutes per episode, once per week (10x1x1). MassHealth modified this request to three (3) minutes per episode, once per week (3x1x1). After discussion between the MassHealth representative and the appellant's representatives, it was agreed that this category would be approved as requested, ten (10) minutes per episode, once per week (10x1x1). Therefore, with both parties in agreement, the category of grooming: nail care is no longer in dispute.

The eating task involves the PCA physically feeding the appellant his meals. The appellant's PCM agency requested fifteen minutes per episode, thrice per day, seven days per week (15x3x7). MassHealth modified this request to ten minutes per episode, twice per day, five days per week (10x2x5) during the week and also ten minutes per episode, thrice per day, two days per week (10x3x2) on the weekend. After discussion between the MassHealth representative and the appellant's representatives, it was agreed that this category would be approved as requested, fifteen minutes per episode, thrice per day, seven days per week (15x3x7). Therefore, with both parties in agreement, the category of eating is no longer in dispute.

Therefore, at hearing, MassHealth and the appellant's representatives came to an agreement on all five (5) categories in dispute. As the issue on appeal is resolved, this case is hereby DISMISSED pursuant to 130 CMR 610.035(A)(8).

## **Order for MassHealth**

For the prior authorization period 1/23/2026 to 1/22/2027, approve the following amounts of PCA assistance for the appellant:

- Bathing: 23x1x7 (161 minutes per week)
- Eating: 15x3x7 (315 minutes per week);
- Grooming (nail care): 10x1x1 (ten minutes per week);
- Overnight assistance with fluids/overnight assistance with toileting: 2 hours per night, 7 nights per week (14 overnight hours per week)

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

cc: Appellant Representative: [REDACTED]

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