

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	DENIED	<b>Appeal Number:</b>	2518853
<b>Decision Date:</b>	2/4/2026	<b>Hearing Date:</b>	02/02/2026
<b>Hearing Officer:</b>	Sharon Dehmand		

**Appearance for Appellant:**



**Appearance for MassHealth:**

Elizabeth Cruz, 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

<b>Appeal Decision:</b>	DENIED	<b>Issue:</b>	Community Eligibility – under 65; Coverage start date
<b>Decision Date:</b>	2/4/2026	<b>Hearing Date:</b>	02/02/2026
<b>MassHealth’s Rep.:</b>	Elizabeth Cruz	<b>Appellant’s Rep.:</b>	██████████
<b>Hearing Location:</b>	Remote	<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 October 15, 2025, MassHealth approved the appellant's application for MassHealth benefits starting on October 1, 2025.<sup>1</sup> See 130 CMR 502.006 and Exhibit 1. The appellant filed this appeal in a timely manner on December 19, 2025. See 130 CMR 610.015(B) and Exhibit 2. MassHealth’s determination of a coverage date is valid grounds for appeal before the Board of Hearings. See 130 CMR 610.032(A)(3).

## Action Taken by MassHealth

MassHealth approved the appellant’s application for MassHealth benefits starting on October 1, 2025.

## Issue

Whether MassHealth was correct in determining the appellant’s coverage date pursuant to 130 CMR 502.006(A).

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<sup>1</sup> MassHealth subsequently adjusted this date to July 1, 2025.

## Summary of Evidence

All parties participated virtually. MassHealth was represented by a worker from the Tewksbury MassHealth Enrollment Center. The appellant was represented by his friend and appeal representative who verified his identity. The following is a summary of the testimony and evidence provided at the hearing:

The MassHealth representative testified that the appellant is a tax filer, lives in a household of one, does not have any income, and is not disabled. On October 15, 2025, an initial application for MassHealth benefits was submitted by the appellant. On October 15, 2025, MassHealth approved the appellant's application for MassHealth benefits starting on October 1, 2025. She added that in August 2025, MassHealth updated its eligibility start date policy and allowed retroactive coverage for up to three months prior to the month of application for eligible individuals with medical bills. Accordingly, MassHealth backdated the appellant's coverage to July 1, 2025, giving him the maximum retroactivity possible. On September 9, 2025, the appellant contacted MassHealth and requested that his coverage be backdated to June 1, 2025. The MassHealth representative stated that this date is beyond the time allowed by MassHealth.

The appellant's representative confirmed that the appellant submitted his initial application on October 15, 2025. He stated that the appellant had incurred out-of-pocket medical expenses in June 2025. He argued that because the appellant was eligible for MassHealth at the time of his medical treatment and has incurred medical expenses, his coverage should be backdated to June 1, 2025. He acknowledged that he did not have any authority for this assertion and that he was making this argument because the hospital told him to do so.

## Findings of Fact

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

1. The appellant is a tax filer, lives in a household of one, does not have any income, and is not disabled. (Testimony).
2. On October 15, 2025, the appellant submitted an initial application for MassHealth benefits. (Testimony).
3. On October 15, 2025, MassHealth approved the appellant's application for MassHealth benefits starting on October 1, 2025. (Testimony and Exhibit 1).
4. Based on MassHealth's updated Eligibility Operations Memo (EOM 25-14, August 2025), MassHealth backdated the appellant's coverage to July 1, 2025. (Testimony and Exhibit 4).

5. The appellant filed this appeal in a timely manner on July 29, 2025. (Exhibit 2).

## Analysis and Conclusions of Law

MassHealth is responsible for the administration and delivery of health-care services to eligible low- and moderate-income individuals, couples, and families under MassHealth. See 130 CMR 501.002(A). MassHealth provides access to healthcare by determining eligibility for the coverage type that provides the most comprehensive benefits for an individual or family who may be eligible. See 130 CMR 501.003(A). MassHealth formulates requirements and determines eligibility for all MassHealth coverage types. See 130 CMR 501.004(A).

The regulations at 130 CMR 505.000 explain the categorical requirements and financial standards that must be met to qualify for a MassHealth coverage type. See 130 CMR 505.001. The MassHealth regulations at 130 CMR 505.008 contain the categorical requirements and financial standards for MassHealth CarePlus coverage.

Here, there is no dispute that the appellant qualifies for MassHealth CarePlus coverage. Thus, the only remaining question is whether MassHealth correctly determined the appellant's coverage start date.

The start date of MassHealth benefits is determined by 130 CMR 502.006(A)(2)(b):

(A) Start Date of Coverage for Applicants. For individuals applying for coverage, the date of coverage for MassHealth is determined by the coverage type for which the applicant may be eligible. 130 CMR 505.000: Health Care Reform: MassHealth: Coverage Types describes the rules for establishing this date, except as specified in 130 CMR 502.003(E)(1), (F)(2), and (H)(2).

(1) The start date of coverage for individuals approved for benefits under provisional eligibility is described at 130 CMR 502.003(E)(1).

(2) The start date of coverage for individuals who do not meet the requirements for provisional eligibility, as described at 130 CMR 502.003(E)(2)(a), is described at 130 CMR 502.006(A)(2)(a) through (d), except individuals described at 130 CMR 502.006(C).

(a) The start date for individuals who are pregnant or younger than ■ years of age who submit all required verifications within the 90-day time frame is described in 130 CMR 502.006(A)(2)(a)1. and 2.

1. If covered medical services were received during such period, and the individual would have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and may be retroactive to the first day of the third calendar month before the month of application except as specified in 130 CMR 502.006(C).

2. If covered medical services were not received during such period, or the individual would not have been eligible at the time services were provided, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 506.006(C).

(b) For individuals not described in 130 CMR 502.006(A)(2)(a) who submit all required verifications within the 90-day time frame, the start date of coverage is determined upon receipt of the requested verifications and coverage begins ten days prior to the date of application, except as specified in 130 CMR 502.006(C).

However, on August 18, 2025, MassHealth updated its eligibility start date policy based on the federal regulations found at 42 C.F.R. § 435.915. See Eligibility Operations Memo (EOM 25-14, August 2025). This update provides all MassHealth applicants with up to three months retroactive coverage, if they meet certain conditions. Specifically, an applicant may qualify for retroactive coverage up to the first day of the third month before the month of application if they a) had covered services, and b) would have been eligible for MassHealth when those services were received. See id.(Emphasis added).

In this case, there is no dispute that the appellant's initial application was submitted to MassHealth on October 10, 2025. Parties also agreed that the appellant was eligible for MassHealth at that time, and that he had incurred medical expenses. As such, the appellant was eligible for MassHealth as of July 10, 2025. In accordance with 42 C.F.R. §435.915(a)(b), an individual is eligible "for Medicaid effective on the first day of a month if an individual was eligible at any time during that month." See § 435.915(a)(b); EOM 25-14 (August 2025). Accordingly, MassHealth correctly backdated the appellant's CarePlus coverage to July 1, 2025. However, the appellant's representative argued without any legal authority that the appellant's coverage should be backdated to June 1, 2025, based on the hospital's advice.

There is no regulatory provision to support the start of coverage to be retroactive further than the first day of the third calendar month before the month of application and the appellant did not provide any authority in support of his argument. See Craven v. State Ethics Comm'n, 390 Mass. 191, 200 (1983)(proof by a preponderance of the evidence is the standard generally applicable to administrative proceedings). As such, I find that MassHealth correctly approved the appellant for MassHealth CarePlus starting on July 1, 2025.

For the foregoing reasons, this appeal is 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.

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Sharon Dehmand, Esq.  
Hearing Officer  
Board of Hearings

cc: [REDACTED]

MassHealth Representative: Sylvia Tiar, Tewksbury MassHealth Enrollment Center, 367 East Street, Tewksbury, MA 01876-1957, 978-863-9290