



**Eligibility Operations Memo 23-22**  
**October 2023**

TO: MassHealth Eligibility Operations Staff  
FROM: Heather Rossi, Director of Eligibility Policy  
RE: **Updated Fair Hearing Request Form**

**Background**

MassHealth has revised the Fair Hearing Request Form (FHR-1) to align with regulation changes to 130 CMR 610.000: *MassHealth: Fair Hearing Rules*. These changes allow applicants and members to:

- Extend the timeframe to request a fair hearing from 30 to 60 days, and
- Request a prehearing resolution.

**Extension to Request a Fair Hearing**

MassHealth has extended the time to request a fair hearing from 30 days to 60 days. The Board of Hearings must receive a completed, signed request within 60 calendar days after a member or applicant received notice from MassHealth of an intended action. 130 CMR 610.015(B)(1). Under limited circumstances, applicants or members will have 120 days to submit a request for fair hearing as provided in 130 CMR 610.015(B)(2) (such as if MassHealth failed to act on an application).

**Prehearing Resolution**

As part of the Fair Hearing Request Form, a member or applicant may select a prehearing resolution (PHR) as a new option for resolving appeals before holding a formal fair hearing. If a matter cannot be resolved by PHR, then the member or applicant will continue to a formal hearing.

**Changes to Fair Hearing Request Form**

The following changes have been made to the Fair Hearing Request Form:

- Updated language to align with extending to 60 days to request a fair hearing.
- Added an option to select prehearing resolution.
- Added explanation for an expedited hearing and prehearing resolution.
- Provided more space under the “Please explain why you are appealing” section.

- Added section for “Type of Hearing and Accommodations” within “Other Information,” which now includes a video hearing as an option.
- Modified formatting and improved readability and accessibility for members.

### **Supplies and Use of Revised Form**

When you receive a supply of the new FHR-1, please recycle all previous versions.

After March 31, 2024, previous versions of the FHR-1 will be obsolete, and the October 2023 version of the FHR-1 will be the only acceptable version.

### **Questions**

If you have any questions about this memo, please have your MEC designee contact the Policy Hotline.