

STATE OF RHODE ISLAND
EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
APPEALS OFFICE

V.

DOCKET No. 24-3000

The Executive Office of Health and
Human Services

DECISION

I. INTRODUCTION

A telephonic hearing on the above-entitled matter came before an Appeals Officer on June 26, 2024. The Appellant, [REDACTED] (hereinafter "Appellant"), initiated this matter to appeal the closure of his Social Security Medicaid (SSI Medicaid) case made by the Department of Human Services (hereinafter "DHS") and the Executive Office of Health and Human Services (hereinafter "EOHHS"). For the reasons discussed in more detail below, the Appellant's Appeal is denied.

II. JURISDICTION

The Executive Office of Health and Human Services (hereinafter "EOHHS") is authorized and designated by R.I.G.L. § 42-7.2-6.1 and EOHHS regulation 210-RICR-10-05-2 to be the entity responsible for appeals and hearings related to DHS and EOHHS programs. The Administrative Hearing was held in accordance with the Administrative Procedures Act, R.I.G.L. § 42-35.1 et seq., and EOHHS regulation 210-RICR-10-05-2.

III. ISSUE

Did EOHHS and DHS determine the Appellant's SSI Medicaid eligibility in compliance with Federal and State Policy?

IV. STANDARD OF PROOF

It is well settled that in formal or informal adjudications modeled on the Federal Administrative Procedures Act, unless otherwise specified, a preponderance of the evidence is generally required to prevail. See (2 Richard J. Pierce, *Administrative Law Treaties* §10.7 (2002) & *Lyons v. Rhode Island Pub. Employees Council 94*, 559 A.2d 1130, 134 (R.I. 1989) (preponderance standard is the “normal” standard in civil cases). This means that for each element to be proven, the factfinder must believe that the facts asserted by the proponent are more probably true than false. When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. See (*Narragansett Electric Co. vs. Carbone*, 898 A.2d 87 (R.I. 2006)).

V. PARTIES AND EXHIBITS

Present for EOHHS was SSI Medicaid Unit staff member, Kathleen Coupland. Kathleen Coupland provided testimony regarding the Appellant’s SSI Medicaid case, and she did not present any evidence.

The Appellant was present and testified on his own behalf. No evidence was presented by the Appellant.

VI. RELEVANT LAW/REGULATIONS

Federal law requires the States to provide Medicaid health coverage to Social Security Income (“SSI”) and State Supplemental Program recipients. Medicaid eligibility is automatic upon approval of SSI. The Social Security Administration determines eligibility for SSI and notifies the State of the SSI recipient’s eligibility through an electronic data exchange. The State is responsible for enrollment and the provision of Medicaid health coverage until SSI eligibility ceases. See (210-RICR-40-05-1.5.4(A)(1)).

VII. FINDINGS OF FACT

1. EOHHS testified that the SSI Medicaid Unit received information from the Social Security Administration, showing that the Appellant was no longer eligible for SSI. EOHHS further testified that the Appellant was now receiving Social Security Disability Insurance (SSDI) income.
2. On March 27, 2024, DHS sent the Appellant a Notice of SSI Ex Parte stating that because the Appellant was no longer receiving Social Security Income (SSI), his SSI Medicaid would be ending on April 30, 2024, and that the ex-parte form would need to be completed and returned to DHS by April 27, 2024, so that DHS could redetermine the Appellant's eligibility for Medicaid.

VIII. DISCUSSION

Medicaid eligibility is automatic upon approval of SSI. The Social Security Administration determines eligibility for SSI and notifies the State of the SSI recipient's eligibility through an electronic data exchange. The State is responsible for enrollment and the provision of Medicaid health coverage until SSI eligibility ceases. EOHHS testified that the Appellant's SSI eligibility ended when he began to receive SSDI income and, therefore, the Appellant was no longer eligible for SSI Medicaid as of April 30, 2024. The Appellant does not dispute that his SSI eligibility ended when he began to receive SSDI income. Because the State is only responsible for the enrollment and provision of the Appellant's Medicaid health coverage until SSI eligibility ceases, there is a preponderance of evidence to support the closure of the Appellant's SSI Medicaid case.

IX. CONCLUSION OF LAW

After careful review of the testimony and evidence present at the administrative hearing, this Appeals Officer concludes that:

1. The Appellant is no longer eligible for SSI Medicaid because he is no longer receiving SSI.
2. EOHHS and DHS correctly determined the Appellant's eligibility for SSI Medicaid.

X. DECISION

Based on the foregoing findings of fact, conclusions of law, evidence, and testimony it is found that a final order be entered that there is sufficient evidence to support EOHHS' and DHS' SSI Medicaid eligibility determination.

APPEAL DENIED

/s/ Jack Peloquin

Jack Peloquin

Appeals Officer

NOTICE OF APPELLATE RIGHTS

This final order constitutes a final order of the Department of Human Services pursuant to RI General Laws §42-35-12. Pursuant to RI General Laws §42-35-15, a final order may be appealed to the Superior Court sitting in and for the County of Providence within thirty (30) days of the mailing date of this decision. Such an appeal, if taken, must be completed by filing a petition for review in Superior Court. The filing of the complaint does not itself stay enforcement of this order. The agency may grant, or the reviewing court may order, a stay upon the appropriate terms.

CERTIFICATION

I hereby certify that I mailed, via regular mail, postage prepaid, a true copy of the foregoing to

[REDACTED]; copies were sent, via email, to

Elise Wills, Kathy Coupland, and Sally McGrath on this 1st day of July,
2024.


