

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

[REDACTED]

V.

HEALTHSOURCE RHODE
ISLAND

DOCKET No. 26-0688

DECISION

I. INTRODUCTION

A Microsoft Teams hearing on the above-entitled matter came before an Appeals Officer on Tuesday, March 17, 2026. The Appellant, [REDACTED], initiated this matter to appeal the November 1, 2025, date of her enrollment with Neighborhood Health Plan of Rhode Island (NHPRI), and to receive a refund from Healthsource Rhode Island (HSRI) for the \$396.42 amount that she paid for health insurance coverage for November 2025. For the reasons discussed in more detail below, the Appellant's appeal is denied.

II. TIMELINESS

HSRI representative Mary Laurila (HSRI representative) argued that the appeal was untimely because it was filed on January 15, 2026, exceeding the 35-day appeal deadline outlined in the November 13, 2025, Enrollment Notice, which stated November 1, 2025, as the Appellant's effective date for her NHPRI (Neighborhood ESSENTIAL) plan coverage.

The Appellant argued that the reason she did not file her appeal sooner was because she was calling HSRI and NHPRI, attempting to resolve the issues raised in this Appeal, during the appeal period. The November 13, 2025, Enrollment Notice states that if the recipient disagrees with the decision, she was to call HSRI, which she did. The notice also states the issue can be appealed. In a recorded phone call

with HSRI on December 22, 2025, between the Appellant and her spouse/authorized representative [REDACTED] [REDACTED] (AR), the AR stated he wanted to appeal the November payment, because the Appellant did not have access to or was unable to utilize the coverage in November 2025. HSRI created a task to review their refund request. Given these actions by the Appellant and AR and their documented attempts to resolve their issues, the appeal is considered timely. The merits of the appeal were heard and discussed below.

III. JURISDICTION

The Executive Office of Health and Human Services (EOHHS) is authorized and designated by R.I. General Laws § 42-7.2-6.1, the Rhode Island Code of Regulations (RICR) 210-RICR-10-05-2, and HSRI regulation 220-RICR-90-00-1.14 to be the entity responsible for appeals and hearings related to HSRI and the Health Exchange. The administrative hearing was held in accordance with the Administrative Procedures Act (R.I.G.L. § 42-35.1 et. seq.), and 210-RICR-10-05-2.

IV. TRAVEL OF THE CASE

The record was held open so both parties could provide additional evidence discussed at hearing – specifically, calls logs between the parties and the agencies. Evidence was provided by the close of business on March 23, 2026; the Appellant provided her call logs to NHPRI and HSRI provided seven recorded calls between the Appellant and HSRI from November 11, 2025, through January 9, 2026.

V. ISSUE

The issues before this Appeals Officer are whether HSRI acted properly and in compliance with Federal and State Policy by enrolling the Appellant in a health insurance plan for November 1, 2025, and whether the Appellant is entitled to a refund for the health insurance premium that she paid for that month.

VI. 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. 2 Richard J. Pierce, Administrative Law Treaties § 10.7 (2002) & see Lyons v. Rhode Island Pub. Employees Council 94, 559 A.2d 130, 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. Narragansett Electric Co. vs. Carbone, 898 A.2d 87 (R.I. 2006).

VII. PARTIES AND EXHIBITS

The HSRI representative provided testimony and evidence regarding the case. The Appellant and the AR testified, and also provided evidence. The following exhibits were presented as evidence:

- HSRI Exhibits:
 - Appellant’s HSRI payment history.
 - Enrollment Notice dated November 13, 2025, showing Neighborhood Health Plan of RI (Neighborhood ESSENTIAL) coverage effective November 1, 2025.
 - Call logs from Appellant to HSRI, showing seven calls from November 11, 2025, through January 9, 2026.
- Appellant Exhibits:
 - Appeal submitted January 15, 2026.
 - Screen shot of phone calls to NHPRI.

VIII. RELEVANT LAW/REGULATIONS

Enrollment of a qualified individual in a qualified health plan (QHP) shall be limited to the annual open enrollment period, or special enrollment period. HSRI shall accept a QHP selection from an

applicant determined eligible for enrollment in a QHP, and the agency shall notify the issuer of the applicant's selected QHP and transmit information necessary to enable the QHP issuer to enroll the applicant. 210-RICR-90-00-1.5(C& D).

The HSRI Policy Manual states that individuals or families may be eligible to enroll in a QHP through HSRI outside of the annual Open Enrollment Period through a Special Enrollment Period if they experience a qualifying life event, such as pregnancy; a qualified individual who is pregnant may enroll in coverage at any time after the commencement of pregnancy. The effective date of coverage will be the first day of the month in which the qualified individual applies for coverage. HSRI Policy Manual Chapter 3(D)(3) and Rhode Island General Laws § 42-157-15(a).

The HSRI Policy Manual Chapter 3(E)(3) titled "special effective coverage for special enrollment effective dates" states that for certain qualifying life events, the effective date may deviate from the general standard; part (c) states coverage is effective no earlier than the first day of the month in which the pregnant applicant applies for coverage.

There are exceptions to the first day of the month rule regarding birth, adoption or placement for adoption or foster care, with coverage generally effective on the date of the qualifying life event. HSRI Policy Manual Chapter 3(E)(3)(b).

HSRI can only provide mid-month terminations in the case of death, with the last date of coverage being the day of death. HSRI Policy Manual Chapter 12(E).

A customer may request that HSRI change an enrollee's coverage start date for insurance if they feel HSRI made an error in processing their enrollment start date, according to Chapter 3(F) of the HSRI Policy Manual. These requests are made on a case-by-case basis by the HSRI research team and all requests for these types of changes need to be made by calling the contact center.

IX. FINDINGS OF FACT

1. The Appellant applied for health insurance with HSRI on October 30, 2025, becoming eligible for a special enrollment period due to being pregnant. She called HSRI again on October 31, 2025, to make income updates to her application, but did not enroll, the HSRI representative testified.
2. The HSRI representative testified that because the Appellant reported the pregnancy in October, her effective date for health insurance coverage would be November 1, 2025.
3. The Appellant called HSRI again on November 11, 2025, and told a worker that she could not select November 1, 2025, as the start date for her health insurance coverage, and was only seeing a December 1, 2025, option. The HSRI worker was able to enroll the Appellant as of November 1, 2025, in the Neighborhood Health Plan of RI (Neighborhood ESSENTIAL) plan, and processed her \$396.42 payment for that month. HSRI information shows that the payment was processed November 12, 2025.
4. The Appellant testified they did not request the November 1, 2025, start date and wanted health coverage effective after the payment was made on November 12, 2025.
5. The Appellant testified that she was told she would receive the member ID card seven to 10 days after the payment was made.
6. The Appellant and AR testified that multiple calls were made to NHPRI and HSRI to obtain the member ID number because without it, the Appellant could not make any doctor's appointments, or use the insurance.
 - The Appellant asked about her member ID number during a November 13, 2025, call to HSRI. She was told to call NHPRI for the ID number. The Appellant stated she also asked about her member ID number in calls to NHPRI on November 13 and 24, 2025.

7. In the December 22, 2025, phone call, the AR told HSRI that the Appellant was unable to schedule appointments until November 24, 2025, when she received the member ID number. The AR requested a refund from HSRI for November because he said the Appellant could not use the health insurance plan due to not receiving medical cards until December 3, 2025. A task was filed by HSRI regarding his refund request and to change the coverage date to December 1, 2025. The request was later denied.
8. The HSRI representative testified that health insurance coverage was available as of the effective date, whether or not it was used, and that if the Appellant needed the member ID, she needed to contact the carrier (in this case, NHPRI) directly for it.
9. HSRI processed the enrollment date correctly and did not make any errors, the HSRI representative testified, citing the HSRI Policy Manual Chapter 3 section F that states that a coverage start date change can be requested only if a customer feels HSRI made an error in processing the enrollment state date.
10. The HSRI representative testified that HSRI can only pro-rate a health insurance premium from the first of the month to another date if a dependent is gained, either due to birth or adoption, or due to a death.
11. The AR testified that he feels it is unfair they paid for benefits that they did not use, and that is why they want a refund and the health insurance plan start date to change to December 1, 2025.

X. DISCUSSION

HSRI allows special enrollment periods in certain qualifying life events, such as pregnancy, per the HSRI Policy Manual Chapter 3(D)(3). In this case, the Appellant started the application process on October 30, 2025, and qualified for a special enrollment period beginning that date because of her pregnancy. She called HSRI when she was having difficulty enrolling for November 1, 2025. Therefore, she clearly was seeking enrollment in a QHP as of November 1, 2025, and not mid-month as she stated during the hearing.

Per HSRI Policy Manual Chapter 3(E)(3)(c) enrollment in a QHP starts no earlier than the first of the month in which the pregnant applicant applies for coverage. An enrollee's start date can be changed if they feel HSRI made an error in processing the enrollment start date; the request is then reviewed by HSRI. See Chapter 3(F). However, in this case, HSRI did not make an error on its end, and clearly processed the correct start date, per the Appellant's request.

The Appellant testified it took until December 3, 2025, to receive the member ID cards. However, in the recorded calls, the AR told HSRI workers that the Appellant received the member ID number on November 24, 2025, and was unable to schedule appointments until that time, which was why he was seeking a refund. Because the Appellant's call log only showed phone calls to NHPRI on November 13, 2025, and November 24, 2025, it is unknown if the member ID may have been available earlier than the November 24, 2025, date. In addition, the health insurance coverage was available as of the November 1, 2025, effective date, even though the Appellant did not use it. If she had gone to a doctor or needed treatment, the member ID number could have been given to the provider after the fact if she did not have it readily available.

The HSRI Policy Manual does not feature a refund policy, other than in instances of death, when a premium would then be pro-rated according to the date of death of the recipient.

XI. CONCLUSION OF LAW

After careful review of the testimony and evidence presented at the Administrative Hearing, this Appeals Officer concludes:

1. HSRI properly enrolled the Appellant in her health plan effective November 1, 2025, as she requested.
2. The Appellant received the member ID number from NHPRI on November 24, 2025, but had access to health insurance for the entire month of November 2025.

3. HSRI can only provide partial month coverage in the event of a birth, or adoption of a child, and can pro-rate a premium in the event of a death, per its policy manual. None of those scenarios apply in this case.

XII. 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 HSRI's November 1, 2025, enrollment date for the Appellant, and a refund will not be issued.

APPEAL DENIED

Lori Stabile

Lori Stabile

Appeals Officer

NOTICE OF APPELLATE RIGHTS

This decision is a final order under R.I.G.L. § 42-35-12. Under R.I.G.L. § 42-35-15, this Order may be appealed to court within thirty (30) days of the mailing of this decision. Such appeal, if taken, must be completed by filing a complaint in 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.

Appeals are generally filed in the Providence County Superior Court. However, appeals affecting or concerning children under the age of eighteen (18) and/or appeals of a DCYF action may need to be filed in Providence Family Court. If you have any questions about which court a complaint for appeal should be made, you should seek the advice of an attorney, Rhode Island Legal Services, and/or the clerk of the court where you wish to file your appeal. The courts'

contact information can be found on the judiciary's website (<https://www.courts.ri.gov>). Copies of the appeal must be served upon all parties in your case within ten (10) days of the filing of your appeal.

If you exercise any of these appellate rights, please inform the EOHHS appeals office of this so we can prepare a copy of the record for the court. You can contact the Appeals Office at OHHS.AppealsOffice@ohhs.ri.gov, 401.462.2132 (Phone), 401.462.0458 (Fax), or at 3 West Road, Virks Building, Cranston, RI 02908.

HEALTHSOURCE RI – FEDERAL REVIEW AVAILABLE

In addition to the Appellate Rights above, HSRI matters can be appealed to the U.S. Department of Health and Human Services within thirty (30) days of the mailing of this decision by visiting <https://www.healthcare.gov/downloads/marketplace-appeal-request-form-a.pdf> or calling 1-800-318-2596. See 45 C.F.R. § 155.520.

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 [REDACTED], and [REDACTED] [REDACTED] as well as HSRI representatives Ben Gagliardi, Esq., Lindsay Lang, Mary Laurila, and Gabriel German on this 8th day of APRIL, 2016.

