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

[redacted] Docket: 26-4658

v.

HealthSource RI

## ADMINISTRATIVE HEARING DECISION

## I. INTRODUCTION

On July 15, 2026, the Executive Hearing Office ("EHO") received a HEARING REQUEST from [redacted] ("Appellant") to appeal a health coverage decision made by HealthSource RI ("HSRI") in appeal [redacted] RI Bridges case [redacted] on June 15, 2026.

An administrative hearing was conducted on August 20, 2026, in accordance with the Administrative Procedures Act R.I. Gen. Laws §42-35.1 and the Rhode Island Code of Regulations ("RICR") 210-RICR-10-05-2. The hearing was held, telephonically, as the Appellant did not select the option of a video hearing. For the reasons detailed below, the appeal is denied.

## II. JURISDICTION

The Executive Office of Health and Human Services ("EOHHS") is responsible for legal services including applying and interpreting the law, oversight of the rule making process, and administrative duties for all publicly funded health and human services programs. (220-RICR-90-00-1.14).

## III. ISSUE

The issue is whether the actions taken by HSRI were in compliance with regulations.

## IV. STANDARD OF PROOF

It is well stated 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)

## V. PARTIES AND EXHIBITS

HSRI was represented by Appeals Specialist Gabrial Germain, the Appellant represented themselves. The following was submitted into the administrative record and marked as evidence: exhibit 1 HSRI audio recording of May 29, 2026, phone call, exhibit 2 HSRI Disenrollment Notice dated June 15, 2026, exhibit 3 RI HealthTrack call log of May 29, 2026, phone call, and exhibit 4 HSRI completed task of actions taken to Appellant's case. The administrative record also contains the Appellant's electronic appeal; correspondence sent to the Appellant from the EHO and email communications between the parties.

## VI. RELEVANT LAW/REGULATIONS

According to 220-RICR-90-00-1.10(G)(1) upon submitting a valid voluntary termination request, coverage shall terminate on the last day of the month is which the request is made. The Exchange (HSRI) has discretion to grant an earlier termination date, on a case-by-case basis.

HSRI's 2025-2026 Policy Manual, chapter 12, section E coverage through HSRI is offered in one-month intervals. page 121, if an enrollee demonstrates to HSRI that they have dual coverage, they may request an alternative termination date of the last day of the month prior to the request.

## VII. FINDINGS OF FACTS

1. The Appellant was enrolled into a health and dental plan effective February 1, 2026.

2. The Appellant called HSRI on May 29, 2026, to inform them that she now is covered Medicare as of May 1, 2026.

3. HSRI staff offered to terminate her health plan at that time, the Appellant declined and told them she would call back later.

4. The Appellant called HSRI on June 15, 2029, and requested retroactive closure of her health plan to May 1, 2026.

5. HSRI closed the plan effective May 31, 2026.

**6.** The Appellant testified that she went in person to HSRI, informed them that she had Medicare and gave them a copy of her cards, and requested health plan closure.

**7.** For the month of May, the Appellant does not believe she should have to pay both for QHP and Medicare premiums.

**8.** The Appellant is seeking HSRI's decision be overturned and that the health plan be ordered closed effective April 31, 2026.

## VIII. DISCUSSION

HSRI maintains actions taken to the Appellant's benefits were done in accordance with regulations. They presented evidence of the audio recording of May 29, 2026, phone call, and

notes from June 15, 2026, phone call. They pointed out the relevant sections in the HSRI policy manual that support the decision to close the Appellant's health plan effective May 31, 2026.

When an enrollee requests a voluntary health plan closure, the effective date is the end of the month in which they make the request. The parties agree that the Appellant contacted HSRI on May 29, 2026, informed them she had Medicare and declined their offer to close the health plan. She testified that she visited HSRI, but provided no details as to where she went, the date or to whom she spoke; HSRI also has no record of the visit. The administrative record was void of any evidence that the Appellant contacted HSRI at another time in the month of May, which would have allowed for possible exemptions regarding the effective closure date.

The Appellant has dual coverage, as she was covered by both Medicare and the health plan and therefore qualified for an exemption that allowed an effective closure date of the last day of the prior month of the request. Which is why the closure requested on June 15, 2026, was able to be effective as of May 31, 2026, because it was the last day of the prior month.

## IX. CONCLUSION OF LAW

After a review of the administrative record, I conclude that HSRI presented sufficient evidence, by a preponderance of the evidence standard, to support the termination of the Appellant's health plan effective May 31, 2026, in accordance with regulations.

## X. DECISION

Based on the foregoing Findings of Facts and Conclusion of Law, evidence and testimony a final order is entered that the Appellant's appeal is denied, and HSRI's decision is upheld.

**APPEAL DENIED**

*/s/Holly Young, EOHHS 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, Healthsource RI 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 electronically to Agency representatives Julia Harvey, Esq., Mary Laurila, and Lindsay Lang, on this 17th day of September, 2026.

