

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK
SUPERIOR COURT
DOCKET NO. 1884CV00129

Jean Maas, Plaintiff)
)
V.)
)
Marylou Sudders, Secretary of)
Executive Office of Health and)
Human Services, and)
)
Kim Larkin, Director of the Board)
Of Hearings of the Office of)
Medicaid, Defendants)
_____)

**AFFIDAVIT OF
PAULA K. ALMGREN**

NOW COMES Paula Kahn Almgren of Paula K. Almgren Attorney at Law PC of Lenox, Massachusetts and hereby deposes and states as follows:

1. I am an attorney in good standing, licensed to practice in the Commonwealth of Massachusetts, with a principal place of business at One West Street, Lenox, Massachusetts 01240. I have personal knowledge of the matters below.
2. I have been licensed to practice law in the Commonwealth of Massachusetts since 1996. My law practice is exclusively devoted to the areas of estate planning, elder law and life care planning. I have been a member of the National Academy of Elder Law Attorneys (NAELA) and its Massachusetts Chapter (MassNAELA) since about 2000.
3. I have served on the MassNAELA Board of Directors since on or about 2002 and am the current Vice President of MassNAELA.
4. As part of my practice I prepare and file MassHealth applications for my clients for long term care and community based care and have attended numerous fair hearings.
5. In my experience when a client receives a denial the notice states "You have more countable assets than MassHealth benefits allow" and cites 130 CMR 520.003 and 130 CMR 520.004. No specific explanation is provided by MassHealth in the denial notice.

6. In my experience I often receive denials that state “You did not give MassHealth the information it needs to decide your eligibility within the required time frame” and cites 130 CMR 515.008. No specific explanation is provided by MassHealth in the denial notice.
7. To the best of my knowledge, every denial notice I receive from MassHealth provides no specific explanation for the denial.
8. The lack of information given in the denial notice requires that I call MassHealth and contact a caseworker to discuss the case and inquire about the reason for the denial.
9. To the best of knowledge and belief, MassHealth does not provide specific reasons for the denial of benefits in the denial notices received throughout the Commonwealth.

Signed under the pains and penalties of perjury this 15th day of May, 2018.



Paula K. Almgren

COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss.

On this 15th day of May, 2018, before me, the undersigned notary public, personally appeared Paula K. Almgren, who proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for the stated purpose.




Notary Public: Jill M. V. Filkins
My commission expires: 08/27/2021