

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:

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|-------------------------|-----------------|-----------------------|------------|
| Appeal Decision: | Denied | Appeal Number: | 1404097 |
| Decision Date: | 10/3/14 | Hearing Date: | 06/05/2014 |
| Hearing Officer: | Thomas J. Goode | Record Open: | 07/25/2014 |

Appearances for Appellant:

Appearances for MassHealth:
John Keefe, Tewksbury MEC



*Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street
Quincy, MA 02171*

APPEAL DECISION

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|---------------------------|--|--------------------------|----------------------------|
| Appeal Decision: | Denied | Issue: | Long-term care eligibility |
| Decision Date: | 10/3/14 | Hearing Date: | 06/05/2014 |
| MassHealth's Rep.: | John Keefe | Appellant's Rep.: | |
| Hearing Location: | Tewksbury MassHealth Enrollment Center | | |

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapters 118E and 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Through a notice dated March 21, 2014, MassHealth denied the appellant's application for benefits because of excess assets held in trust (Exhibit 1). The appellant filed this appeal in a timely manner on April 1, 2014 (130 CMR 610.015(B); Exhibit 2). Denial of an application for benefits is a valid basis for appeal (130 CMR 610.032). The hearing record remained open until July 25, 2014 to allow additional legal memoranda to be submitted by the parties.

Action Taken by MassHealth

MassHealth denied the appellant's application for benefits due to excess assets.

Issue

The appeal issue is whether appellant had excess assets and is therefore ineligible for MassHealth long term care benefits.

Summary of Evidence

A MassHealth representative appeared at the hearing and testified that the appellant was admitted to a nursing facility on November 7, 2013. On January 6, 2014, a MassHealth long-term care application was submitted on her behalf, seeking coverage as of November 7, 2013. The application was denied for failure to provide all requested verifications, and that denial was not appealed. The verifications were eventually submitted on March 19, 2014, and the case was re-logged for that date. MassHealth sent a copy of a trust document to its legal department for an opinion as to the countability of trust assets. The legal department subsequently rendered an opinion that assets held in trust are countable. On April 1, 2014, MassHealth denied the application for excess assets in the amount of \$527,854.

Appellant's husband died on February 11, 2011. Prior to his death appellant's husband was a resident of a nursing facility and applied for MassHealth long-term care benefits. The application was denied by notice dated March 15, 2011 due to assets held in trust. The denial was appealed; a hearing was held; and a hearing decision issued on September 9, 2011 denying the appeal because assets held in Trust were deemed countable in appellant's husband's MassHealth determination (Exhibit 13). There is no evidence that the hearing decision in appellant's husband's case was appealed to Superior Court.

The MassHealth representative submitted into evidence a copy of the same legal memorandum prepared and submitted by a MassHealth attorney as part of appellant's husband's hearing in 2011, which outlines a history of MassHealth determinations concerning the Trusts involved. On November 5, 2002, the appellant and his wife established a realty trust (the "HR Trust") and named themselves as trustees. Under Section Five, the trust may be terminated by a notice in writing from the beneficiaries, and upon such termination the trust property is to be distributed to the beneficiaries. Under Section Six, the trust may be amended by an instrument in writing signed by the beneficiaries holding a majority of the beneficial interest. Also on November 5, 2002, the appellant and his wife executed a deed transferring their real property to themselves as trustees of the realty trust. On April 29, 2004, the appellant and his wife executed a document entitled "Trustee's Resignation," by which they both purportedly resigned as trustees. This document was recorded on August 18, 2004. Also on April 29, 2004, another document entitled "Appointment of Successor Trustees" was signed. The document states that "'We, [appellant's three children], Trustees of RJJ Trust¹ being the sole Beneficiary of the [HR Trust] dated November 5, 2002 . . . hereby appoint [appellant's children] as Successor Trustees of the [realty trust]. . . ." This document was also recorded on August 18, 2004.

¹ The MassHealth attorney apparently did not have any documentation pertaining to the RJJ Trust at the time this memorandum was written in 2011. See Exhibit 8, note 1. A copy of the trust was submitted into evidence at the previous hearing, and at the instant hearing (Exhibit 5A).

On May 20, 2004, the appellant and his wife executed a Trustee's Certificate. It states in part as follows: "The undersigned, [appellant and wife], Trustees of [the realty trust] . . . hereby certify as follows:

That [appellant and wife] are the Trustees of said Trust.

That said Trust has not been altered, amended, revoked or terminated.

That pursuant to the terms of the Trust and upon specific direction of the beneficiaries, the Trustees have the power and authority to execute a deed of the Trust property [the real estate] to [appellant and wife] and to execute all documents necessary or incidental to the conveyance of said property in furtherance of the purposes of the Trust.

Also on May 20, 2004, appellant and her husband, as trustees of the HR Trust, executed a deed transferring the real property back to themselves as husband and wife, as tenants by the entirety. Also on May 20, 2004, the appellant and her husband executed another deed transferring the subject real estate to their children as trustees of the HR Trust. This deed was not recorded with the Registry of Deeds until August 18, 2004. On May 21, 2004, the appellant and her husband took out a mortgage with Bank of America on the subject real estate.

The RJJ Trust was submitted into evidence (Exhibit 5). The Declaration of Trust was executed on April 29, 2004, by appellant's children, who named themselves as trustees. The relevant provisions of the RJJ Trust are as follows:

PART I: DISPOSITIVE PROVISIONS

FIRST: This trust is revocable in accordance with the provisions of Clause Tenth of the Administrative Provisions, and shall be known as the "RJJ Trust," and may be referred to as such.

SECOND: The Trustees shall pay or apply the net income from the trust property, in monthly or other convenient installments, to or for the benefit of [appellant and her late husband], for so long as they shall live, except that income shall not be paid to [appellant and her late husband] during any period for which long term care benefits from any need-based state or federal program would otherwise be available for the care of said beneficiary, or during such period for which qualification for such benefits is pending and said income would adversely affect such qualification or eligibility.

(A) Upon the death of the survivor of the said [appellant and late husband], the trust property shall be divided into as many equal shares as there are children of [appellant and late husband], then living, and deceased children leaving issue then living and shall be held and disposed of as hereinafter set forth.

(E) In addition to payments of income hereinbefore provided, the Trustees by unanimous consent are authorized, at any time or from time to time, to make or apply payments from principal to or for the benefit of the Donors hereof, in such amounts, including the entire trust fund, as the Trustees may deem advisable.

PART II : TRUSTEES POWERS

. . . The Trustees shall have, in addition to those conferred by law or otherwise, the following discretionary powers, privileges and exemptions: . . . (g) To make any payment or distribution directly to any beneficiary whether or not competent or to apply the same for his benefit . . .

It is the Donors' intention to give the Trustees wide discretion in matters of management of the trust property and the foregoing enumeration of powers is not intended to exclude other powers reasonably incidental to such management.

PART III: ADMINISTRATIVE PROVISIONS

TENTH: Amendment or Revocation: The Donors acting by unanimous consent, reserve the power at any time, and from time to time, to alter, amend or revoke in whole or in part, the terms and provisions of this Declaration of Trust, and the trusts hereby created, by an instrument in writing signed by them and acknowledged before a Notary Public, and delivered to the Trustees. In the event that this trust is revoked, the Trustees shall transfer and pay over the trust property, or portion thereof to which said revocation is applicable, to the Donors or as they may direct in writing.

FOURTEENTH: Actions of Trustees: The Trustees may freely act under all or any of the powers by this Agreement given to them in all matters concerning the Trust herein created, after forming their judgment based upon all of the circumstances of any particular situation as to the wisest and best course to pursue in the interest of the Trust and the beneficiaries hereunder, without the necessity of obtaining the consent or permission of any person interested therein, or the consent or approval of any court, and notwithstanding that they may also be acting individually, or as Trustee or other Trust, or as agent for other persons or corporations interested in the same matters, or may be interested in connection with the same matters as shareholders, directors, or otherwise, provided, however, that they shall exercise such powers at all times in a fiduciary capacity primarily in the interest of the beneficiaries hereunder.

See Exhibit 5A.

In MassHealth's 2011 memorandum, the MassHealth attorney pointed out that under the terms of the HR Trust, the trustees hold the trust property for the benefit of those listed on the Schedule of

Beneficiaries, and may only act at the direction of the beneficiaries. The Schedule of Beneficiaries of the HR Trust was not provided to the legal unit in 2011. However, MassHealth contends the fact that in 2004 appellant and her late husband were able to move the property out of the trust and convey it back to themselves in order to mortgage the property, signifies that has retained the ability to access the property held in the realty trust. MassHealth argues that under Sections Five and Six of the HR Realty Trust, the beneficiaries may amend and terminate the trust. As such, MassHealth asserts that the HR realty trust is revocable and its assets are therefore countable in an eligibility determination. Moreover, the MassHealth attorney argues that even if the realty trust were considered irrevocable, its assets would still be available to the appellant because the assets were made available in 2004 when the property was deeded back to the appellant and her late husband. Because there was access to the trust assets, the current fair market value of the real property is countable in an eligibility determination and not subject to any exemptions for a principal place of residence not held in a trust. See 130 CMR 520.023(B)(4) and (C)(3).

The issue in the previous appeal decision turned on whether or not assets held in the “HR” Trust were countable to appellant’s husband in an eligibility determination. The hearing officer determined that there was no evidence that the “RJJ” Trust established by appellant’s children was the beneficiary of the HR Trust because a schedule of beneficiaries was not submitted into evidence (Exhibit 13, p. Finding of Fact 1.c., p. 6). Evidence in the instant appeal includes a document entitled “Schedule of Beneficial Interests of 146 Harrington Road Realty Trust” dated April 29, 2004, which designates the RJJ Trust as the 100% beneficiary of the “HR” Trust (Exhibit 6). A second document dated March 1, 2011 entitled “Schedule of Beneficial Interests of 146 Harrington Road Realty Trust” dated March 1, 2011 designates appellant’s 3 children as beneficiaries of the HR Trust, as tenants in common each with a 1/3 interest (Exhibit 7). The “RJJ Trust First Amendment” removes appellant as a beneficiary under the RJJ Trust, and reads in pertinent part: “We [appellant’s three children], Donors of the RJJ Trust under Declaration of Trust dated April 29, 2004 by power reserved to the Donors in Part III, Article Tenth hereby amend said trust by deleting Part I, Second and substituting the following new Part I, Second that reads in its entirety as follows:

“Second: The Trustees shall pay or apply the net income from the trust property, in monthly or other convenient installments, to or for the benefit of [appellant’s three children], in equal shares for so long as they shall live, except that income shall not be paid to [appellant’s three children] during any period for which long term care benefits from any need-based state or federal program would otherwise be available for the care of said beneficiary, or during such period for which qualification for such benefits is pending and said income would adversely affect such qualification or eligibility.

(Exhibit 5A)

MassHealth also argues that the Amendment to the RJJ Trust dated March 1, 2011 purports to delete the Second Article of Part I of the RJJ Trust and replace it in its entirety. Under the RJJ Trust as originally drafted, the applicant and her husband were beneficiaries of the RJJ Trust. All reference to the applicant and her husband as beneficiaries are deleted under the amendment. The amendment to the RJJ Trust did not change any other provisions of the RJJ Trust including its revocability under the First Article of Part I and the Tenth Article of Part III. MassHealth contends that the amended Schedule of Beneficiaries dated March 1, 2011 was executed within the five year look-back period, and if the “HR” Trust is somehow considered irrevocable, the amendment removing appellant as a beneficiary would result in a disqualifying resource transfer under 130 CMR 520.019, unless the transfer is cured under 130 CMR 520.024 (C).

The appellant was represented at the hearing by an attorney. Appellant counsel asserts that the analysis of the Trust instruments should be limited to the terms of the RJJ Trust which was created by the children, who are the sole trustees, and beneficiaries, and is revocable only by the children, not by appellant. He argued the children, as trustees, have total control over the RJJ trust; and as of the March 2011 amended schedule of beneficiaries, the children hold 100% of the beneficial interest of the HR Trust. As such, appellant does not have control over the RJJ Trust, and relinquished control over the HR Trust when she resigned as co-Trustee in 2004.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. Appellant was admitted to a nursing facility on November 7, 2013.
2. On January 6, 2014, a MassHealth long-term care application was submitted on her behalf, seeking coverage as of November 7, 2013. The application was denied for failure to provide all requested verifications, and that denial was not appealed.
3. The verifications were eventually submitted on March 19, 2014, and the case was re-logged for that date. MassHealth determined that appellant’s former home held in trust is countable.
4. On April 1, 2014, MassHealth denied the application for excess assets in the amount of \$527,854, which is the value of her former residence not held in Trust.
5. Appellant’s husband died on February 11, 2011.
6. Prior to his death, appellant’s husband was a resident of a nursing facility and applied for MassHealth long-term care benefits. The application was denied by notice dated March 15, 2011 due to assets held in trust. The denial was appealed; a hearing was held; and a hearing decision issued on September 9, 2011 denying the appeal because assets held in

Trust were deemed countable in appellant's husband's MassHealth determination.

7. On November 5, 2002, the appellant and his wife established the HR Trust and named themselves as trustees. The Declaration of Trust was recorded on January 6, 2003.
8. The Declaration of Trust states that the HR Trust "is intended to be a NOMINEE TRUST, so-called for federal and state income tax purposes, and to hold the record legal title to the Trust Estate and do such functions as are necessarily incidental thereto."
9. In Section 3 of the HR Trust, the term "Beneficiaries" is defined as "the persons and entities listed as Beneficiaries in the Schedule of Beneficiaries and in such revised Schedule of Beneficiaries, from time to time hereafter executed and delivered as provided above and the respective interests of the Beneficiaries shall be therein stated." Also under that section, "[d]ecisions made and actions taken hereunder (including, without limitation, amendment and termination of this Trust, appointment and removal of a Trustee, directions and notices of a Trustee and the execution of documents) shall be made or taken, as the case may be, by the Beneficiaries holding a majority of the beneficial interest."
10. Under Section 5 of the HR Trust, the trust "may be terminated at any time by notice in writing from the Beneficiaries holding a majority of the beneficial interest, provided that such termination shall be effective only when a certificate thereof signed by at least one of the Trustees, shall be recorded with the Registry of Deeds." In the case of termination, "the Trustees shall transfer and convey to the specific assets constituting the Trust Estate . . . to the Beneficiaries as tenants in common in proportion to the respective interests hereunder, or as otherwise directed by the Beneficiaries holding a majority of the beneficial interest. . . ."
11. Under Section 6 of the HR Trust, the trust "may be amended from time to time by an instrument in writing signed by the Beneficiaries holding a majority of the beneficial interest and delivered to the Trustee provided in each case that the amendments shall not become effective until the instrument amendment or a certificate setting forth the terms of such amendment, signed by the Trustees [is] recorded with the Registry of Deeds."
12. On November 5, 2002, the same day the HR Trust was created, the appellant and his wife executed a deed transferring their real property to themselves as trustees of the HR Trust.
13. On April 29, 2004: The appellant and his wife executed a document entitled "Trustee's Resignation," by which they would both resign as trustees of the realty trust. This document was not recorded until August 18, 2004.
14. On April 29, 2014, a document entitled "Appointment of Successor Trustees" was executed. Under this document the appellant's children appointed themselves (as trustees

of the RJJ Trust, described in this document as the sole beneficiary of the HR Trust) as successor trustees of the HR Trust. This document was also not recorded until August 18, 2004.

15. The appellant's children established the RJJ Trust, naming themselves as trustees.
16. Pursuant to the RJJ Trust the appellant and his wife were beneficiaries of the net income of the trust property "for so long as they shall live, except that income shall not be paid to [them] during any period for which long term care benefits from any need-based state or federal program would otherwise be available for [their care], or during such period for which qualification for such benefits is pending and said income would adversely affect such qualification or eligibility." In addition, the trustees are authorized (upon unanimous consent) to "make or apply payments from principal to or for the benefit of the Donors hereof [the children], in such amounts, including the entire trust fund, as the Trustees may deem advisable."
17. The RJJ Trust states that "[i]t is the Donors' intention to give the Trustees wide discretion in matters of management of the trust property and the foregoing enumeration of powers is not intended to exclude other powers reasonably incidental to such management."
18. The donors of the RJJ Trust are empowered to alter, amend, or revoke in whole or in part the terms of the RJJ trust. In the event of revocation, the trust property is to be transferred to the donors or as they may direct in writing.
19. The trustees of the RJJ Trust are authorized to "freely act under all or any of the powers . . . given to them in all matters concerning the Trust herein created, after forming their judgment based upon all of the circumstances of any particular situation as to the wisest and best course to pursue in the interest of the Trust and the beneficiaries hereunder, without the necessity of obtaining the consent or permission of any person interested therein, or the consent or approval of any court, and notwithstanding that they may also be acting individually, or as Trustee or other Trust, or as agent for other persons or corporations interested in the same matters, or may be interested in connection with the same matters as shareholders, directors, or otherwise, provided, however, that they shall exercise such powers at all times in a fiduciary capacity primarily in the interest of the beneficiaries hereunder."
20. On May 20, 2004, appellant and her late husband executed a Trustee's Certificate, which certified that they were trustees of the HR realty trust; that the trust had not been altered, amended, revoked, or terminated; that the trustees had the power and authority to execute a deed of the trust property (the real estate) to the appellant and her late husband and to execute all documents necessary or incidental to the conveyance of said property in furtherance of the purposes of the trust. This document was recorded with the Registry of

Deeds on the date of execution.

21. On May 20, 2004, appellant and her late husband, as trustees of the HR realty trust, executed a deed transferring the real property back to themselves as husband and wife, as tenants by the entirety.
22. On May 20, 2004, appellant and her late husband executed another deed transferring the subject real estate to their children as trustees of the realty trust. This deed was not recorded at the Registry of Deeds until August 18, 2004.
23. On May 21, 2004, appellant and her late husband took out a mortgage on the subject real estate.
24. On August 18, 2004, the following documents were recorded at the Registry of Deeds: The Trustee's Resignation (executed April 29, 2004); the Appointment of Successor Trustees (executed April 29, 2004); and the deed transferring the subject real estate to the children as trustees of the HR Realty Trust (executed May 20, 2004).
25. The "Schedule of Beneficial Interests of 146 Harrington Road Realty Trust" dated April 29, 2004, designates the RJJ Trust as the 100% beneficiary of the "HR" Trust (Exhibit 6).
26. A document dated March 1, 2011 entitled "Schedule of Beneficial Interests of 146 Harrington Road Realty Trust" dated March 1, 2011 designates appellant's 3 children as beneficiaries of the HR Trust, as tenants in common each with a 1/3 interest (Exhibit 7).
27. The "RJJ Trust First Amendment" removes appellant and her late husband as the income beneficiary under the RJJ Trust, and designates appellant's 3 children as income beneficiaries.
28. The subject real estate consists of appellant's former home, which is owned by the appellant's 3 children in their capacity as Trustees of the HR Realty Trust.
29. The HR Realty Trust is silent as to whether or not appellant and her husband reserved the power to revoke the HR Trust.

Analysis and Conclusions of Law

Generally, resources held in a trust are considered available if under any circumstances described in the terms of the trust, any of the resources can be made available to the individual. 130 CMR 520.023. The home or former home of a nursing-facility resident or spouse held in a revocable trust is a countable asset. Where the home or former home is an asset of the trust, it is not

subject to the exemptions of 130 CMR 520.007(G)(2) or 520.007(G)(8) [both provisions exempt the property from countability if certain requirements are met]. 130 CMR 520.023(B)(4).

As was the case in the previous appeal decision regarding appellant's husband's eligibility, the hearing record still reflects that the most recent transaction involving the property (excluding the mortgage) was a deed in which the appellant and her late husband conveyed the property (the former home) to their children *as trustees of the HR Trust, not the RJJ Trust*. See Exhibit 13, fn. 6.² MassHealth argues that the HR Trust is revocable pursuant to Section Five as it "may be terminated at any time by notice in writing from the Beneficiaries holding a majority of the beneficial interest." I disagree in that the beneficiaries' power to terminate the HR Trust does not render the HR Trust revocable such that the property held in trust would revert back to the Settlor. A power of revocation is reserved by the settlor/grantor, in this case appellant and her late husband.³ The HR Trust is silent as to whether or not it is revocable by the Settlers. However, pursuant to G.L. Ch. 203E, Article 6, Section 602, Revocation or amendment of a revocable trust:

(a) Unless the terms of a trust expressly provide that the trust is irrevocable, the settlor may revoke or amend the trust.

(b) If a revocable trust is created or funded by more than 1 settlor:(1) to the extent the trust consists of community property, the trust may be revoked by either spouse acting alone but may be amended only by joint action of both spouses; (2) to the extent the trust consists of property other than community property, each settlor may revoke or amend the trust with regard to the portion of the trust property attributable to that settlor's contribution; and (3) upon the revocation or amendment of the trust by fewer than all of the settlors, the trustee shall promptly notify the other settlors of the revocation or amendment.

(c) The settlor may revoke or amend a revocable trust:(1) by complying with a method provided in the terms of the trust; or (2) if the terms of the trust do not provide a method, by any method manifesting clear and convincing evidence of the settlor's intent.

² See also Exhibit 5A, Exh. 3, Quitclaim deed transferring appellant's property to appellant's 3 children as Trustees of the HR Trust recorded May 20, 2004.

³ See State Medicaid Manual, 3259.1A.5: Revocable Trust.-- A revocable trust is a trust which can under State law be revoked by the grantor. A trust which provides that the trust can only be modified or terminated by a court is considered to be a revocable trust, since the grantor (or his/her representative) can petition the court to terminate the trust. Also, a trust which is called irrevocable but which terminates if some action is taken by the grantor is a revocable trust for purposes of this instruction. For example, a trust may require a trustee to terminate a trust and disburse the funds to the grantor if the grantor leaves a nursing facility and returns home. Such a trust is considered to be revocable.

(d) Upon revocation of a revocable trust, the trustee shall deliver the trust property as the settlor directs.

(e) A settlor's powers with respect to revocation, amendment or distribution of trust property may be exercised by an agent under a power of attorney only to the extent expressly authorized by the terms of the trust and the power. (f) A trustee who does not know that a trust has been revoked or amended shall not be liable to the settlor or settlor's successors in interest for distributions made and other actions taken on the assumption that the trust had not been amended or revoked.

Further, Charles E. Rounds, Jr., and Charles E. Rounds, III, in their treatise on trust law state the following:

Under the Uniform Trust Code...a trust, whether private or charitable, is presumed revocable by the settlor unless the terms of the trust expressly provide that the trust is irrevocable. The Restatement (Third) of Trusts and the Uniform Trust Code are not entirely in sync in this regard. The Restatement (Third) of Trusts would admit extrinsic evidence on whether a trust is revocable if its written terms do not adequately address the issue.⁴

Thus, in analyzing the HR Trust in the context of these definitions, in the absence of a definitive statement to the contrary, the HR Realty Trust is in fact revocable by appellant because she is the Settlor, regardless of her resignation as Trustee. This conclusion is seconded by the "extrinsic evidence" that appellant and her late husband removed the property from the HR Trust on May 20, 2004, and deeded the property back to themselves as tenants by the entirety so that they could obtain a mortgage. The authority to remove the property from Trust in 2004, which in effect revoked the HR Trust at the time, did not arise in appellant and her late husband in their capacity as Trustees, but rather in their capacity as the Settlers of a revocable trust. Although appellant counsel urges that this transaction was driven by the need to repair the property and should be ignored, I find that it supports the conclusion that the HR Realty Trust remains a revocable trust. As appellant is a nursing facility resident, and her former home is held in a revocable trust, the property is a countable asset under 130 CMR 520.023(B)(4).

The appeal is denied.⁵

⁴ Loring and Rounds: A Trustee's Handbook, 2014 Edition, Section 8.2.2.2, p. 900.

⁵ Under 130 CMR 520.024(C), if MassHealth has denied or terminated benefits because the home or former home in trust is considered an excess asset, the agency will rescind that action if the home or former home has been removed from the trust and returned to the nursing-facility resident in accordance with 130 CMR 520.007(G)(8) and the full cure rules at 130 CMR 520.019(K).

Order for MassHealth

None.

Notification of Your Right to Appeal to Court

If you disagree with this decision, you have the right to appeal to Court in accordance with Chapter 30A of the Massachusetts General Laws. To appeal, you must file a complaint with the Superior Court for the county where you reside, or Suffolk County Superior Court, within 30 days of your receipt of this decision.

Thomas J. Goode
Hearing Officer
Board of Hearings

cc: Appeals Coordinator: Sylvia Tiar, Tewksbury MEC