

STATE OF VERMONT

HUMAN SERVICES BOARD

In re ) Fair Hearing No. N-11/19-720  
 )  
Appeal of )  
 )

INTRODUCTION

Petitioner appeals the termination of Dr. Dynasaur benefits for her minor child by the Department of Vermont Health Access ("Department"). The following facts are adduced from a telephone hearing held December 18, 2019 and documents submitted therein.

FINDINGS OF FACT

1. Petitioner's minor child had been receiving health insurance coverage through the Dr. Dynasaur program during 2019 when by letter dated September 8, 2019, the Department contacted the petitioner concerning the annual renewal process. The letter informed petitioner of how to renew the coverage and established a deadline of October 12, 2019 for the provision of updated information and indicated that coverage could end on October 31, 2019 if the information was not supplied in a timely fashion.

2. No information was received by the Department by October 12, 2019 and on October 13, 2019 a Notice was issued informing petitioner that she had not renewed Dr. Dynasaur coverage for her minor child and that coverage would end if not renewed by October 31, 2019.

3. On October 30, 2019 petitioner provided updated income information for her household through the Department's online portal.

4. In response, the Department issued a Renewal Notice of Decision dated November 1, 2019 informing petitioner that her household was over income for Dr. Dynasaur and consequently her minor child was no longer eligible for the program.

5. At hearing, a Department witness stated that the monthly income maximum for a household of three to qualify for Dr. Dynasaur was \$5643.90 and that petitioner's household income was \$5997.16, a fact that petitioner did not contest.

6. Petitioner stated however, that while the income figure used by the Department was correct at the time the eligibility determination was made, it included certain regular overtime wages that she believed would be ending, so she thought her child might once again be eligible. In response, petitioner was informed by the Department of her

right to have a new Dr. Dynasaur eligibility determination made at any time.

7. Petitioner's child has continuing benefits under Dr. Dynasaur pursuant to this appeal. In addition, petitioner indicated that her child would become eligible for health insurance coverage pursuant to Employer Sponsored Insurance (ESI) to which her husband would be entitled commencing in January of 2020.

ORDER

The Department's decision is affirmed.

REASONS

Review of the Department's determination is de novo. The Department has the burden of proof at hearing if terminating or reducing existing benefits; otherwise the petitioner bears the burden. See Fair Hearing Rule 1000.3.0.4.

Petitioner's reported monthly household income of \$5997.16, exceeds the current Dr. Dynasaur threshold for a household of three of 312 percent of the Federal Poverty Level plus a 5% disregard, or \$5643.90 per month.<sup>1</sup>

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<sup>1</sup> Available at:  
<https://info.healthconnect.vermont.gov/thresholds2019#Medicaid>

As such, the Department's decision is consistent with the applicable rules and must be affirmed. See 3 V.S.A. § 3091(d), Fair Hearing Rule No. 1000.4D.

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