



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
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November 17, 2014

VIA FAX: 508-746-5746 and E-Mail ([brian@elderlaw.info](mailto:brian@elderlaw.info))

Brian Barreira, Esq.  
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RE: Unauthorized Subpoena in Appeal No. 1407381

Dear Mr. Barreira:

The subpoena you faxed to MassHealth on November 13, 2014 is invalid and will not be honored by MassHealth. The provisions of 130 CMR 610.052 require that you apply to the Board of Hearings for a subpoena, and receive the approval of the hearing officer for a subpoena to issue in a Board of Hearings matter. Until such an application has been made to the Board, and granted by the hearing officer in the case, MassHealth will not honor the subpoena for the records requested.

Notwithstanding your invalid subpoena, your client's MassHealth file is available for your inspection and copying with a valid, signed MassHealth permission to share information form from your client. If you wish to inspect your client's MassHealth file, or receive a copy of your client's MassHealth file, please contact the MassHealth Enrollment Center worker assigned to your case directly.

Very truly yours,

  
Ingrid C. Schreffner  
Assistant General Counsel

