



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

OAL DKT. NO. HMA 15340-20

**Medicaid Only**  
**Failure to Verify Eligibility Appeal**  
**N.J.A.C. 10:71-2.2 and -2.3**

A.S.

\_\_\_\_\_  
\_\_\_\_\_  
Petitioner,

v.

MIDDLESEX COUNTY  
BOARD OF SOCIAL SERVICES

Respondent.

For petitioner: Connie Mandelbaum, Designated Authorized Representative

For respondent: Carrie Flanzbaum, Human Services Specialist 3

BEFORE: ALLISON FRIEDMAN, ALJ

**STATEMENT OF THE CASE**

Respondent denied petitioner's Medicaid Only application for failure to provide the following evidence of eligibility under N.J.A.C. 10:71-2.2(e):

Among the outstanding information requested were banking statements, property owned, life insurance policy information, and information regarding any Qualified Income Trust.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

I.

- I **FIND** that petitioner or petitioner's representative is **AUTHORIZED** to pursue this appeal; therefore, I **CONCLUDE** that petitioner has **STANDING** to pursue this appeal.
- I **FIND** that petitioner or petitioner's representative is **NOT AUTHORIZED** to pursue this appeal; therefore, I **CONCLUDE** that petitioner has **NO STANDING** to pursue this appeal.

II.

- I **FIND** that petitioner did not provide all the necessary documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a), and that no exceptional circumstances exist under N.J.A.C. 10:71-2.3(c); therefore, I **CONCLUDE** that the Medicaid Only application must be **DENIED** under N.J.A.C. 10:71-2.2(e).
- I **FIND** that petitioner did not provide all the necessary documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a), but that exceptional circumstances exist under N.J.A.C. 10:71-2.3(c) (*note exceptional circumstances in "Additional Findings of Fact/Conclusions of Law"*); therefore, I **CONCLUDE** that the time limit for verification must be **EXTENDED** under N.J.A.C. 10:71-2.3(c).
- I **FIND** that petitioner did not provide all the necessary documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a); exceptional circumstances exist under N.J.A.C. 10:71-2.3(c) (*note exceptional circumstances in "Additional Findings of Fact/Conclusions of Law"*); and petitioner has since provided all the necessary documentation; therefore, I **CONCLUDE** that the Medicaid Only application must be **PROCESSED** to determine eligibility under N.J.A.C. 10:71.

- I **FIND** that petitioner provided all the necessary documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a); therefore, I **CONCLUDE** that the Medicaid Only application must be **PROCESSED** to determine eligibility under N.J.A.C. 10:71.

**ADDITIONAL FINDINGS OF FACT/CONCLUSIONS OF LAW**

A.S.'s designated authorized representative (DAR), Connie Mandelbaum, applied A.S. to the Aged, Blind, Disabled program on July 31, 2024 through Middlesex County Board of Social Services (Agency). R- A On May 31, 2024, A.S. the department of of Human Services deemed A.S. clinically eligible for Managed Long term Services and Supports. R-D On May 23, 2025, the Agency sent the A. S.'s DAR Carrie Mandelbaum a request for information. R-B On that same day the Agency advised Mandelbaum that social security advised the Agency that A.S. passed away last month. R-D at 4 While this case had been pending a letter of Administration and new DAR form have been provided establishing standing for Ms. Mandelbaum. P-1 On June 6, 2025, at 2:59 p.m. Mandelbaum emailed the Agency requesting an extension since she had only received the request for information letter June 4, 2025. (R-D at 2) Additionally she attached a majority of the requested information to that email. Id. On Friday, June 6, 2025, at 3:35p.m. the Agency responded that an extension could not be granted until documentation is provided that the missing information was requested. R-D at 1 On June 10, 2025, the Agency denied A.S.'s application. R-C On June 11, 2025, Mandelbaum emailed the information from Chase bank that she had requested the missing information June 9, 2026. During the hearing the Agency explained that the extension request was never considered nor were the documents later provided since the application had been denied June 10, 2025.

Therefore, I FIND that neither the Agency or DAR had control over the late delivery of the request for information letter. I further FIND that the death of A.S. complicated the ability of the DAR to obtain the information.

Lastly, I FIND that the DAR substantially complied in a reasonable and timely fashion with the request for additional information. I therefore CONCLUDE that extraordinary circumstances exist.

**ORDER**

I **ORDER** that:

- Petitioner's appeal is **DISMISSED** because petitioner has **NO STANDING**.
- Petitioner's Medicaid Only application is **DENIED** under N.J.A.C. 10:71-2.2(e).
- Respondent must **EXTEND** the time limit for verification under N.J.A.C. 10:71-2.3(c).
- The case be **RETURNED** to respondent for respondent to **PROCESS** the application to determine eligibility under N.J.A.C. 10:71.

I **FILE** this initial decision with the **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**. This recommended decision is deemed adopted as the final agency decision under 42 U.S.C. § 1396a(e)(14)(A) and N.J.S.A. 52:14B-10(f). The **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES** cannot reject or modify this decision.

If you disagree with this decision, you have the right to seek judicial review under New Jersey Court Rule 2:2-3 by the Appellate Division, Superior Court of New Jersey, Richard J. Hughes Complex, PO Box 006, Trenton, New Jersey 08625. A request for judicial review must be made within 45 days from the date you receive this decision. If you have any questions about an appeal to the Appellate Division, you may call (609) 815-2950.

April 7, 2026

DATE

Date Record Closed:

Date Filed with Agency:

Date Sent to Parties:

  
\_\_\_\_\_  
ALLISON FRIEDMAN, ALJ  
03/19/2026

April 7, 2026

**APPENDIX**

Witnesses

For Petitioner:

Connie Mandelbaum, DAR for A.S. of Elder Care

For Respondent:

Carrie Flanzbaum, Middlesex County Board of Social Services, Human Services Specialist 3

Exhibits

For Petitioner:

P-1 Letter of administration and new Designated Authorized Representative

For Respondent:

R-A Application

R-B Request for Information Dated May 23, 2025

R-C Adverse action notice Dated June 10, 2025

R-D Email correspondence between Agency and Mandelbaum, with attachments