



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 02231-26⁺

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

C.M.

Petitioner,

v.

Union County Board of
Social Services

Respondent.

For petitioner: Miriam Tempelman, DAR

For respondent: Teshana Gaskin, HSS4, Supervisor

BEFORE: Andrea Perry Villani, 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):

The declaration page of C.M.'s auto insurance policy showing all of the vehicles listed on the policy and a copy of vehicle title, vehicle registration, and picture of odometer reading for all vehicles.

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

On March 14, 2025, C.M. submitted a redetermination application for Medicaid Only Managed Long Term Services and Supports (MLTSS). On June 30, 2025, Union County Board of Social Services (Agency) requested C.M.'s TD bank account statements from January 1, 2025 to June 1, 2025. C.M. did not provide the statements. On July 31, 2025, the Agency terminated C.M.'s eligibility. On August 5, 2025, C.M. provided the statements and the Agency reopened the case. However, C.M.'s bank statements revealed that C.M. was making monthly premium payments to "Drive NJ Insurance." Thus, on August 27, 2025, the Agency requested C.M.'s vehicle documents: her auto insurance policy showing all vehicles listed on the policy, as well as all vehicle titles, registrations, and odometer readings. The documents were due to the Agency by September 10, 2025. On September 4, 2024, C.M. signed a form appointing a Designated Authorized Representative (DAR). C.M. and/or her DAR did not provide any of the vehicle documents. On December 3, 2025, the Agency closed the case and terminated eligibility as of July 31, 2025, the original denial date. On December 30, 2025, C.M.'s DAR filed a new application for MLTSS on C.M.'s behalf. On January 23, 2026, the Agency again requested the vehicle documents. The December 2025 application remains open pending determination.

C.M.'s DAR testified that, at some unidentified point in 2025, someone named Kelly from the Agency called her and stated she would "look into" the Agency's request for vehicle documents and call her back. The DAR provided a recording of this call wherein Kelly says she's calling from the Department of Human Services in Union County. However, Teshana Gaskin, Adult Medicaid Supervisor at the Agency, testified that no one named Kelly works at the Agency's Adult Medicaid office. Gaskin does not know who Kelly is. More importantly, the only thing Kelly said in the call about vehicle documents was: "I'm going to see what I can do on my end with this car stuff." Indeed, the DAR also said to Kelly during the call: "So all we need is the pension verification and the car information. Is that correct?" Kelly answered, "Yes." Therefore, by all accounts, the vehicle documents were required. C.M. and her DAR had over three months to provide the documents from the Agency's first request for same in August 2025 until the denial in December 2025. For all of these reasons, I conclude that the Agency's actions were reasonable and no exceptional circumstances exist that warrant an extension of time for verification in this case.

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.

4/1/26

DATE

Andrea Perry Villani

Andrea Perry Villani

Date Record Closed:

Date Filed with Agency:

Date Sent to Parties:

4/1/26

4/1/26

APPENDIX

Witnesses

For Petitioner:

Miriam Tempelman

For Respondent:

Teshana Gaskin

Exhibits

For Petitioner:

- P-1 DAR Form
- P-2 1/23/26 RFI
- P-3 Denial Letter
- P-4 Union Fair Hearing Documents
- P-5 Recording of Phone Call

For Respondent:

- R-1 Summary Report
- R-2 C.M.'s Bank Statements
- R-3 Emails
- R-4 8/27/25 RFI
- R-5 DAR Email & Form
- R-6 12/3/25 Denial