State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION
OAL DKT. NO. HMA 11884-26

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

C.S.

Petitioner,

v.

Warren County Division of Temporary Assistance and Social Services,

Respondent.

For petitioner: Hannah Rosenman

For respondent: Deborah Rothrock

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):

Five years of statements for Valley National Bank account ***6585.

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 February 9, 2026, petitioner applied for Managed Long-Term Services and Supports (MLTSS). Respondent denied the application for failure to verify.

On April 27, 2026, petitioner re-applied for MLTSS. The April 2026 application is the subject of this fair hearing.

Upon receipt of the application, respondent ran an Asset Verification System (AVS) check using petitioner's social security number and discovered that petitioner has a Valley National Bank (Valley) account (number 6585) titled in his sole name with a balance of approximately $60,000. Respondent then issued a request for information (RFI) for, among other things, five years of statements for the Valley account. On May 14, 2026, respondent issued a second RFI asking for the statements. On May 29, 2026, respondent denied the application for failure to verify.

On June 17, 2026, petitioner re-applied for MLTSS and that application is currently pending.

On June 25, 2026, petitioner's Designated Authorized Representative (DAR) submitted a letter from Valley. Given the timing, the letter was clearly submitted in connection with petitioner's June 17, 2026 application, which is NOT the subject of this fair hearing.

However, even if I consider the letter, it does not prove that the Valley account doesn't belong to petitioner. The letter from Valley states only that petitioner's former employer "maintains an active business checking account at Valley" and that petitioner is "neither an authorized signer on this account nor an employee of the business." The letter does not contain any account numbers. The letter does not identify which account the bank is referring to. It does not state whether petitioner has an account at the bank, just that his former employer has one. In other words, the letter doesn't establish anything about Valley account number 6585 that, again, is titled in petitioner's sole name and is tied to his social security number.

Petitioner's DAR testified that she and petitioner called Valley and a representative told them that petitioner does not have an account there. She also testified that they called petitioner's former employer, a company he left in 2007, and the office manager told them that petitioner's name is not on their business account. These statements are hearsay. More importantly, petitioner provided no documents establishing that Valley account number 6585 does not belong to him.

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.

August 26, 2026
DATE

Andrea Perry Villani
Andrea Perry Villani, ALJ
08/26/2026

Date Record Closed: August 26, 2026

Date Filed with Agency: August 26, 2026

Date Sent to Parties:

APPENDIX

Witnesses

For Petitioner:

Hannah Rosenman

For Respondent:

Deborah Rothrock

Exhibits

For Petitioner:

None

For Respondent:

Exhibit 1	April 27, 2026 Application
Exhibit 2	April 27, 2026 RFI
Exhibit 3	May 14, 2026 RFI
Exhibit 4	May 29, 2026 Denial
Exhibit 5	Asset Verification System Results
Exhibit 6	June 25, 2026 Bank Letter
Exhibit 7	June 18, 2007 Company Contract