

STATEMENT OF THE CASE

Respondent denied petitioner's Special Medicaid application for failure to provide the following evidence of eligibility under N.J.A.C. 10:72-2.1(c) and 10:72-2.3(e):

- 1) Statements for Chase Bank Account ending in #5095 from 1/01/2020- 01/01/2026 and an explanation of unknown transfer to savings account ending in #4904.
 - 2) Statements from Dreyfuss Liquid Asset Fund from 11/01/2020-01/01/2026
 - 3) Statements from 700 Thoroughbred Stock shares from 11/01/2020-01/01/2026
 - 4) Statements from Templeton Growth Fund 11/01/2020-01/01/2026
- Or proof of closure relating to any of the above accounts- See Respondents Exhibit C

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. 10:72-2.1(c) and (d), and that no exceptional circumstances exist under N.J.A.C. 10:72-2.1(d)(2); therefore, I **CONCLUDE** that the Special Medicaid application must be **DENIED** under N.J.A.C. 10:72-2.1(c) and 10:72-2.3(e).
- ☒ I **FIND** that petitioner did not provide all the necessary documentation under N.J.A.C. 10:72-2.1(c) and (d), but that exceptional circumstances exist under N.J.A.C. 10:72-2.1(d)(2) (*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. 10:72-2.1(d)(2).
- ☐ I **FIND** that petitioner did not provide all the necessary documentation under N.J.A.C. 10:72-2.1(c) and (d); exceptional circumstances exist under N.J.A.C. 10:72-2.1(d)(2) (*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 Special Medicaid application must be **PROCESSED** to determine eligibility under N.J.A.C. 10:72.

- ☐ I **FIND** that petitioner provided all the necessary documentation under N.J.A.C. 10:72-2.1(c) and (d); therefore, I **CONCLUDE** that the Special Medicaid application must be **PROCESSED** to determine eligibility under N.J.A.C. 10:72.

ADDITIONAL FINDINGS OF FACT/CONCLUSIONS OF LAW

On November 26, 2025, J.G. (petitioner) submitted an initial application for Medicaid Only Managed Long Term Services and Supports MLTSS). Her daughter-in-law, M.G is the Designated Authorized Representative (DAR). (R-1) On January 8, 2026, Union County Board of Social Services (respondent) sent a Request For Information (RFI), to the DAR requesting various items. (R-2) On January 9, 2026, and January 16, 2026, the requested items were provided, including petitioner's Divorce Decree from forty-two years prior dated May 10, 1984, and the Chase Bank information. (R-3) On March 17, 2026, a second RFI letter was sent to the DAR requesting additional information regarding three items, specifically a) Dreyfuss liquid asset fund; b) 700 shares of Thoroughbred stock, and c) Templeton Growth Fund, all listed in petitioner's Divorce Decree under Financial Interest (R-3 at page 6 in section 3.2) On March 26, 2026, the DAR sent correspondence explaining that they attempted to get information regarding the items listed, but since the items did not have identification numbers, are over forty years old, and the original owner was deceased, no information could be readily located. Petitioner's ex-husband died August 23, 2015. (R-4) J.G.'s DAR testified that petitioner never received these alleged assets from her ex-husband and, she could find no record of them. Further, the DAR and her spouse (J.G.'s son) made numerous attempts to obtain information regarding the items and found nothing indicating that her ex-husband transferred ownership of the three items in question to J.G. Also, J.G. never attempted to enforce the Divorce Decree. Since the ex-husband is deceased no account information is available. Further, the DAR states, "Ms. G. is currently residing in government-subsidized housing and has limited financial resources. She was previously receiving Medicaid benefits in Arizona before her relocation to New Jersey. Her current financial situation reflects no ownership of investment accounts, securities, or significant assets." ... " Please let us know if affidavits or sworn statements would be helpful in lieu of unavailable documentation." On April 29, 2026, respondents denied the application for failure to provide verifications for the three "items". The letter advises that " If this account was closed prior to 11/01/2020 a letter from the company on letterhead with the closure date and amount will be sufficient." (R-5) However, given the diligence of the DAR and continued cooperation with Union County, including the request for clarification on what she could submit in these unusual circumstances, I **FIND** that the March 26, 2026, letter from the DAR is the equivalent of a request for an extension of time to submit verifications. Indeed, Union solely relies upon the forty-three year old Divorce Decree to suggest that the petitioner may have such assets. To be sure, I **FIND** that exceptional circumstances exist that warrant extending the time to submit verifications to determine J.G.'s eligibility for MLTSS.

Notably, in late April/early May of 2026, J.G.'s DAR filed a new application for MLTSS on J.G.'s behalf, which remains pending. Although actions taken by the DAR after the denial are not part of this determination, they evidence continued cooperation by the DAR. She supplied a letter dated June 10, 2026 from BNY Mellon (formerly Dreyfuss) stating it was unable to locate any account(s) in J.G.'s name. Obviously, Dreyfuss could not advise when an account that J.G. never possessed closed. On May 15, 2026, Franklin Templeton wrote indicating that they were unable to locate any account(s) with the information previously provided by the DAR. However, J.G. could supply additional information to better assist with a search. (R-7) In connection with the hearing, a document prepared by Jose Roman, Esq. on J.G.'s behalf states that J.G. received no statements or tax documentation in the past sixty months, indicating ownership or transfer of these three items. (P-1)

ORDER

I **ORDER** that:

- ☐ Petitioner's appeal is **DISMISSED** because petitioner has **NO STANDING**.
- ☐ Petitioner's Special Medicaid application is **DENIED** under N.J.A.C. 10:72-2.1(c) and 10:72-2.3(e)
- ☒ Respondent must **EXTEND** the time limit for verification under N.J.A.C. 10:72-2.1(d)(2).
- ☐ The case be **RETURNED** to respondent for respondent to **PROCESS** the application to determine eligibility under N.J.A.C. 10:72.

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 12, 2026

DATE

Date Record Closed:

Date Filed with Agency:

Date Sent to Parties:



Sandra L. Lascari

ALJ

July 31, 2026

August 12, 2026

August 12, 2026

APPENDIX

Witnesses

For Petitioner:

M.G, DAR for J.G.
B.G., son of J.G.

For Respondent:

Karen Devigili HSS3 Adult Medicaid Specialist

Exhibits

For Petitioner:

P-1 Statement of Fair Hearing from Jose Roman Esq.

For Respondent:

R-1 Application & DAR Form

R-2 1/8/2026 RFI letter

R-3 3/17/2026 2nd RFI letter, Divorce Decree

R-4 3/26/2026 letter from DAR

R-5 4/29/2026 Denial letter

R-6 NJAC Code -not in Evidence

R-7 DAR's Request for Information & responses from Franklin Templeton & BNY

R-8 NJAC Code- not in Evidence