



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

**INITIAL DECISION**

OAL DKT. NO. HMA 19176-25

**J.C.,**

Petitioner,

v.

**UNION COUNTY BOARD OF  
SOCIAL SERVICES,**

Respondent.

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**Michael Heinemann, Esq.,** for petitioner (Law Office of Michael Heinemann,  
attorneys)

**Yesmin Y. Diaz,** Assistant County Counsel, for respondent (Bruce H. Bergen,  
County Counsel)

Record Closed: March 4, 2026

Decided: March 24, 2026

BEFORE **SUSANA E. GUERRERO, ALJ:**

**STATEMENT OF THE CASE**

Petitioner appeals the denial of MLTSS Medicaid by respondent, the Union County Board of Social Services (CWA or Agency), for failing to provide requested verifications, specifically a bank statement for the month of August 2024.

## PROCEDURAL HISTORY

The Division of Medical Assistance and Health Services (DMAHS) transmitted the matter to the Office of Administrative Law (OAL), where it was filed on November 4, 2025. The hearing was initially scheduled for January 7, 2026, but adjourned at the request of respondent's counsel, who had been recently assigned to this matter. The hearing was rescheduled to January 26, 2026, but was adjourned due to a snowstorm resulting in a State of emergency and office closures; and the new hearing date of February 24, 2026 was also adjourned due to the unavailability of respondent counsel. The hearing took place via telephone on February 26, 2026, and the record remained open pending receipt of summation briefs. The record closed on March 4, 2026.

## FINDINGS OF FACT

Nakia Jones (Jones), Human Services Specialist 3, who has worked in the Medicaid office for about eight years, testified on behalf of the CWA. Petitioner presented no witnesses. Based on my review of the documentary evidence and testimony, I **FIND** the following **FACTS**:

J.C. applied for MLTSS Medicaid on or around January 13, 2025. The application was submitted by a DAR employed by the facility providing care to J.C. The CWA sent J.C., through the DAR, three Requests for Information (RFI). The third RFI, dated July 28, 2025, sought several items, including: "the complete statements including all pages with no redactions for the Fidelity investment account from 08/01/2024 through 07/01/2025."

The RFI instructs the applicant to provide the requested information by August 11, 2025, and it states that if the applicant does not have information requested, he should send a letter of explanation. Neither J.C. nor the DAR submitted a letter of explanation regarding any missing document, and there is no evidence that the DAR ever contacted the CWA concerning this RFI, or any issue in obtaining the requested documents, prior to receiving the denial.

The CWA denied the application on September 3, 2025 for: “Failure to provide the complete statements including all pages with no redactions for the Fidelity Investment account from 08/01/2024 through 07/01/2025.” Petitioner provided all other requested documents. Two days later, the DAR emailed the caseworker handling the application for an update on the status of the application, and Jones informed the DAR that the application had been denied. The DAR emailed Jones requesting reconsideration of the denial, asserting that all records were submitted in a timely fashion with the exception of the Fidelity statement covering 08/01/2024–08/12/2024, as the account had been closed effective August 12, 2024.

J.C. did not provide the CWA with a Fidelity bank statement for the period 08/01/2024–08/12/2024. Rather, on August 19, 2025, the DAR submitted a letter addressed to J.C. from Fidelity bank, dated August 13, 2025, indicating that the account was closed effective August 12, 2024 and had a \$0 balance. The bank statement for July 2024 indicates that J.C. had \$139,931.28 in that account at the end of the month, and when J.C. closed the account on or around August 12, 2024, he received a Fidelity check in the amount of \$124,837.67. No information was provided concerning the whereabouts of the transfers or transaction between August 1 and August 12, 2024, which would have totaled well over \$15,000.

### **ANALYSIS AND CONCLUSIONS OF LAW**

The CWA asserts that the RFI was clear and specific in its request for the complete Fidelity bank statements, which were due by August 11, 2025. The DAR's submission of a letter dated August 13, 2025 from Fidelity, after the due date, stating that the account was closed on August 12, was not responsive to the requested information. The DAR did not testify concerning why the statement for August 2024 was not submitted on time or why she only submitted the letter from Fidelity reporting that the account was closed. The CWA asserts that it is critical to know what happened during the twelve days before the account closure because monies were unaccounted for since July 31, 2024, and the Agency has a right to know about these transactions as part of their review.

Petitioner asserts that the CWA unreasonably denied J.C.'s application and that the County has a duty to inform the applicant of any deficiency and give him the opportunity to cure the deficiency. In his submission, counsel for petitioner references a number of cases, none of which constitute binding precedent. M.L. v. Essex Cnty. Div. of Fam. Assistance & Benefits, 2025 N.J. Super. Unpub. LEXIS 407 (App. Div. March 18, 2025), is an unpublished decision and distinguishable from the matter at issue here because the caseworker in M.L. only issued one RFI regarding a bank account, information which the petitioner provided, and the denial was based on additional information and explanations on certain account transactions that were never even requested of M.L. That is not the case here. The third RFI here specifically requested Fidelity bank statements from 8/1/24 to 7/1/25. J.C. had a Fidelity account in August 2024, which was closed on August 12, 2024. There is nothing to suggest that a statement did not exist covering the period August 1 through August 12, 2024. Petitioner did not provide any bank statement for this period; petitioner did not provide any explanation for not providing these records; nor did petitioner request additional time to secure this information, prior to the denial. The DAR never communicated to the CWA that the August 13, 2025 letter was all that she was able to obtain from the bank prior to the denial, nor did she ask the agency whether the letter itself was sufficient to satisfy the RFI.

K.O. v. Division of Medical Assistance and Health Services, and Morris County Office of Temporary Assistance, No. A-3010-21 (App. Div. September 26, 2023), another unpublished decision, is also distinguishable from this matter because in K.O., the petitioner's attorney was in constant communication with the agency for each item requested, K.O. provided timely and responsive documentation to the verification requests, and the basis for the denial included the failure to provide specific information that was never specifically requested of petitioner. Here, the DAR simply submitted the letter from Fidelity and the closing check, which did not include the specific information requested. The DAR did not offer any explanation as to why the bank statement was not provided; she did not request additional time to obtain the statement; and she did not ask if the letter from the bank sufficed or whether the Agency requested any

additional information. The DAR only communicated with the Agency about the “missing twelve days” after the denial.

In reviewing Medicaid applications, “the applicants or beneficiaries are the primary source of information.” N.J.A.C. 10:71-1.6(a)(2). Both the CWA and the applicant have responsibilities with regard to the application process. N.J.A.C. 10:71-2.2. Applicants must complete any forms required by the CWA; assist the CWA in securing evidence that corroborates his or her statements; and promptly report any change affecting his or her circumstance. N.J.A.C. 10:71-2.2(e).

The CWA appropriately requested J.C.’s Fidelity bank records to verify his eligibility for the Medicaid program. The request for these records was clear from the third RFI, but the petitioner failed to provide any bank statement for August 2024, without any explanation as to why this information could not be obtained in a timely fashion. The letter from Fidelity only indicated that the account was closed on August 13, 2025, and the requested statement, which petitioner did not provide, is relevant to determining eligibility, especially since there appears to have been activity with that account in early August before it was closed. I **CONCLUDE** that the CWA appropriately denied petitioner’s application for his failure to provide requested verifications, and specifically the Fidelity bank statement information for August 2024.


### **ORDER**

Based upon the foregoing, I **ORDER** that the petitioner’s appeal is hereby **DISMISSED**.

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.

March 24, 2026  
DATE

  
**SUSANA E. GUERRERO, ALJ**

Date Received at Agency:

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Date Mailed to Parties:

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**APPENDIX**

**WITNESSES**

For Petitioner:

None

For Respondent:

Nakia Jones, Human Services Specialist 3

**EXHIBITS**

For Petitioner:

P-1 None

For Respondent:

- R-1 Application
- R-2 Request for Information, July 28, 2025
- R-3 Letter from Fidelity dated August 13, 2025; July 2024 account balance; and check dated August 14, 2024
- R-4 Letter denying application dated September 3, 2025
- R-5 Email correspondence between DAR and agency