



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 06901-26

AGENCY DKT. NO. N/A

L.M.,

Petitioner,

v.

**UNION COUNTY BOARD OF SOCIAL
SERVICES,**

Respondent.

Aron Rosenblum, Designated Authorized Representative, for petitioner
pursuant to N.J.A.C. 1:10B-5.1

Modupeola Daramola, Fair Hearing Liaison, for respondent pursuant to N.J.A.C.
1:1-5.4(a)(3)

Record Closed: June 25, 2026

Decided: July 2, 2026

BEFORE, **MINDY GENSLER**, ALJ:

STATEMENT OF THE CASE

On October 22, 2025, petitioner, L.M., applied to respondent, a county social services agency (CSSA), for Medicaid but failed to assist the CSSA in securing evidence that would corroborate her statements in the application. May the application be denied?

Yes. To receive approval for Medicaid, an applicant must complete all forms and secure evidence that corroborates statements in the application. N.J.A.C. 10:71-2.2(e).

PROCEDURAL HISTORY

On October 22, 2025, L.M. applied to Union County Board of Social Services (Union County), a CSSA, for Managed Long-Term Services and Supports (MLTSS) Medicaid benefits.

On March 3, 2026, Union County denied the application for failure to provide requested verifications.

On March 31, 2026, Aron Rosenblum, L.M.'s designated authorized representative (DAR), appealed the determination and requested a fair hearing.

On April 30, 2026, the Division of Medical Assistance and Health Services (DMAHS) transmitted the case to the office of Administrative Law (OAL) as a contested case under the Administrative Procedure Act, N.J.S.A. 52:14B-1 to -15, and the Act establishing the Office of Administrative Law, N.J.S.A. 52:14F-1 to -23.

On June 12, 2026, I held the hearing and permitted the parties to submit post hearing briefs by June 18, 2026.

On June 17, 2026, the DAR submitted his post hearing brief and I kept the record open to permit Union County to respond to the DAR's post hearing brief.

On June 25, 2026, Union County submitted its post hearing brief, and I closed the record.

FINDINGS OF FACT

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties submitted and my assessment of their sufficiency, I **FIND** the following **FACTS**:

On October 22, 2025, the DAR applied for MLTSS on behalf of L.M.

On November 5, 2025, Union County received a signed statement declaring that her car was in poor condition and was sold to a local mechanic on or about July 13, 2021.

On January 22, 2026, Union County issued a Request for Information (RFI), which explained that L.M.'s application could not be processed until the requested information was received. Among other items, the RFI asked for the bill of sale issued by the Motor Vehicle Commission for the vehicle L.M. sold, information relating to payments for insurance to New Jersey Manufacturers for automobile insurance, documentation relating to a Patriot Life policy, Venmo statements from October 1, 2020, through October 1, 2025, and PayPal statements from October 1, 2020, through October 1, 2025.

On January 27 and 28, 2026, the DAR submitted some documents in response to the RFI.

On January 30, 2026, the DAR submitted another application.

On February 4, 2026, the DAR faxed a letter to Union County requesting assistance to obtain verification of Patriot Life, Venmo, PayPal and the bill of sale of L.M.'s car.

On March 3, 2026, Union County denied L.M.'s applications for failure to provide the requested verifications, including the official Bill of Sale from the Motor Vehicle Commission, legible PayPal statements from August 1, 2023, to August 31, 2025, and the missing PayPal statements from September 1, 2025, to October 1, 2025. In May

2026, after the application had already been denied, L.M. supplied the lien history for the vehicle L.M. sold and asked for assistance related to this verification.

CONCLUSIONS OF LAW

The CSSA assists in the administration of the New Jersey Medicaid program by processing applications for Medicaid benefits and determining whether an applicant meets the financial eligibility requirements. N.J.A.C. 10:71-3.15(a). New Jersey participates in Medicaid through the New Jersey Medical Assistance and Health Services Act, N.J.S.A. 30:4D-1 to -19-5. DMAHS is responsible for administering Medicaid. N.J.S.A. 30:4D-5. Through its regulations, DMAHS establishes policy and procedures for processing Medicaid cases. N.J.A.C. 10:71-2.2(b).

As part of these responsibilities, a CSSA is required to process disabled applications in 90 days, unless proper processing cannot be completed within this period and the reason is explained to the applicant. N.J.A.C. 10:71-2.3. To underscore, the CSSA can properly deny an application when information is never provided to verify eligibility even when the Medicaid application is not processed within the regulatory time limits. C.H. v. Essex Cnty. Bd. of Social Servs., 2016 N.J. AGEN LEXIS 6 (January 6, 2016). Nevertheless, process is a shared responsibility.

The CSSA and the applicant share this responsibility for the application process. N.J.A.C. 10:71-2.2. To be financially eligible, an applicant must meet both income and resource requirements. N.J.A.C. 10:71-3.5; N.J.A.C. 10:71-1.2(a). More specifically, the CSSA exercises direct responsibility in the application process to inform applicants about the process, while the applicant has the responsibility to complete required forms and assist the agency in securing evidence that corroborates statements in the application. N.J.A.C. 10:71-2.2(e).

Federal regulations provide that a state Medicaid agency must request and use information relevant to verifying the individual's eligibility for Medicaid. 42 C.F.R. § 435.948 to -435.956. This obligation includes information related to wages, net earnings from self-employment, and unearned income from certain specified sources, such as the

IRS, the SSA, or other federal and state agencies. 42 C.F.R. § 435.948. There are limits to the obligations of the State to use external sources to verify resources. A state Medicaid agency or CSSA is not required to obtain information from other sources if that information is not available through an electronic service established by the federal government. 42 C.F.R. § 435.949.

Union County complied with its obligations by explaining to the DAR that L.M.'s application could not be processed within the ninety days because evidence of eligibility was missing.

L.M., however, did not. Although the DAR asserts that he asked Union County for assistance on February 4, 2026, when he faxed a letter to Union County, no proof exists that he did so. Meanwhile, Union County asserts in response that it did not receive any request for assistance until May 2026 after the March 2026 denial was issued. Even if the fax had been received in February 2026, the DAR never asked for additional time.

Since the DAR did not provide all the necessary documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a), and no exceptional circumstances exist under N.J.A.C. 10:71-2.3(c), I **CONCLUDE** that the Medicaid application must be **DENIED**.

ORDER

Given my findings of fact and conclusions of law, I **ORDER** that L.M.'s Medicaid application is **DENIED** under N.J.A.C. 10:71-2.2(e).

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.

July 2, 2026

DATE



MINDY GENSLER, ALJ

Date Received at Agency:

July 2, 2026

Date Mailed to Parties:

July 2, 2026

APPENDIX

Witnesses

For Petitioner:

Aaron Rosenblum, DAR

For Respondent:

Vanessa Arias, Supervisor

Exhibits

For Petitioner:

P-1 February 4, 2026 letter

For Respondent:

- R-1 October 22, 2025 Application
- R-2 Request for Information
- R-3 November 4, 2025 letter relating to L.M.'s car
NJM auto policy received January 27, 2026
Car fax history received January 28, 2026
- R-4 January 30, 2026 Application
- R-5 March 3, 2026 Denial Letter
- R-6 May 2026 Emails between DAR and Union County