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State of New Jersey
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STEPHEN CHA, MD, MHSR
Commissioner

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Assistant Commissioner

**STATE OF NEW JERSEY**
**DEPARTMENT OF HUMAN SERVICES**
**DIVISION OF MEDICAL ASSISTANCE**
**AND HEALTH SERVICES**

M.F.A.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES AND MIDDLESEX COUNTY BOARD OF SOCIAL SERVICES,

RESPONDENTS.

**ADMINISTRATIVE ACTION**

**ORDER OF RETURN**

**OAL DKT. NO. HMA 02585-26**

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Office of Administrative Law (OAL) case file, the evidence submitted, and the Initial Decision. Neither party submitted exceptions to the Initial Decision. The deadline for the Agency Head to issue a Final Agency Decision is October 1, 2026, pursuant to N.J.S.A. 52:14B-

10, which requires the Agency Head to adopt, reject, or modify the Initial Decision within 45 days of the agency's receipt.

The main issue presented here is whether the Middlesex County Board of Social Services (Middlesex County) properly denied Petitioner's Medicaid application for failure to provide requested verification.

On April 28, 2025, Petitioner's representative, Danielle Starn (Starn), submitted a Medicaid application through Middlesex County on behalf of Petitioner, who resided at the Elms of Cranbury Rehabilitation and Healthcare Center. ID at 2. After Starn filed the initial application, Jessica M. Bulos, Esq., became the point of contact for Petitioner. Ibid.

On September 19, 2025, nearly five months after the application was filed, Middlesex County requested verification, including bank statements, information regarding deposits and withdrawals, and documents related to a business registered in Petitioner's name. ID at 3. Middlesex County initially set a deadline of October 3, 2025, for submission of these documents. Ibid. Petitioner's counsel provided some of the requested documents by that date, requested additional time, and sought assistance from Middlesex County in obtaining the remaining documentation. Ibid. Middlesex County granted an extension until October 17, 2025, but did not respond to the request for assistance. Ibid.

On October 17, 2025, Petitioner's counsel provided the remaining documents except for verification regarding a Wells Fargo business account. Ibid. Counsel again requested additional time and assistance from Middlesex County to obtain this documentation. Ibid. Middlesex County did not respond to the request, and on October 23, 2025, denied Petitioner's Medicaid application for failure to provide the information necessary to determine eligibility. (R-C.)

The Administrative Law Judge (ALJ) concluded that the denial should be rescinded, and the matter returned to Middlesex County for processing and determination of Petitioner's Medicaid eligibility. ID at 4. The ALJ relied on N.J.A.C. 10:71-2,2, which outlines responsibilities for both Medicaid applicants and county social services. Ibid. While an applicant must provide information and assist the agency in obtaining evidence necessary to establish eligibility, the County also has affirmative responsibilities to assist applicants, promptly process applications, and notify applicants regarding eligibility or ineligibility. Ibid. Middlesex County is also required to use secondary sources when necessary. Ibid.

The ALJ further found that Middlesex County did not determine Petitioner's eligibility within the required forty-five-day period and failed to provide written notice explaining the specific reasons for the delay, as mandated by N.J. A.C. 10:71-2.3 (a) and (d). Ibid. The ALJ also found that Middlesex County did not respond to Petitioner's requests for assistance in obtaining the missing documentation. Ibid.

The ALJ also found that Petitioner substantially complied with Middlesex County's requests and that only the Wells Fargo documentation remained outstanding. ID at 5. The ALJ determined that the missing Wells Fargo document was delayed due to circumstances beyond Petitioner's control and not due to a lack of corporation. Ibid. The ALJ also noted that Petitioner demonstrated good faith, diligence, substantial compliance, and repeated requests for assistance. Ibid. Accordingly, the ALJ ordered that the denial be rescinded and the matter returned to Middlesex County for processing to determine eligibility. Ibid.

After reviewing the record, I CONCLUDE that the ALJ correctly determined that Middlesex County did not properly deny Petitioner's Medicaid application on October 23, 2025.

Both the County Welfare Agency (CWA) and the applicant have responsibilities regarding 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 exercises direct responsibility in the application process to inform applicants about the process, eligibility requirements and their right to a fair hearing; receive applications; assist applicants in exploring their eligibility; make known the appropriate resources, and services; assure the prompt accurate submission of data; and promptly notify applicants of eligibility or ineligibility. N.J.A.C. 10:71-2.2(c) and (d). CWAs must determine eligibility for aged cases within 45 days and Blind and Disabled cases within 90 days. N.J.A.C. 10:71-2. 3(a); MedComm No. 10-09, and Fed. Reg. 42 CFR § 435.91. The time frame may be extended when "documented exceptional circumstances arise" preventing the processing of the application within the prescribed time limits. N.J.A.C. 10:71-2.3(c).

The record shows that Petitioner responded to Middlesex County's verification request by providing most of the requested documentation on October 3, 2025, and, after receiving an extension to October 17, 2025, submitted the remaining documents except for the verification of the Wells Fargo business account. The record further demonstrates that Petitioner's counsel twice requested assistance from Middlesex County in obtaining the Wells Fargo documentation. Middlesex County granted the first request for additional time but did not respond to the request for assistance. When the Wells Fargo documentation remained outstanding on October 17, 2025, counsel again requested additional time and assistance, but Middlesex County did not respond before issuing the denial on October 23, 2025.

Under these circumstances, I agree with the ALJ that the denial was not appropriate. Petitioner had substantially complied with Middlesex County's requests, and the record supports the ALJ's finding that the Wells Fargo documentation was delayed due to circumstances beyond Petitioner's control rather than a failure to cooperate.

The record demonstrates that Petitioner substantially complied with Middlesex County's requests for verification, repeatedly sought additional time and assistance in obtaining the remaining documentation, and acted in good faith. However, Middlesex County did not respond to those requests.

Although the delay in processing the application was not the primary issue at the hearing, it is important to note that Middlesex County did not process the application in a timely manner or provide Petitioner with written notice of the reason for the delay as required by N.J.A.C. 10:71-2.3(d). Considering Petitioner's substantial compliance, good-faith efforts, repeated requests for assistance, and Middlesex County's failure to respond, these circumstances support rescinding the denial.

Accordingly, I ADOPT the Initial Decision and RETURN the matter to Middlesex County for processing Petitioner's application. This Final Decision does not determine Petitioner's eligibility for Medicaid benefits. Rather, it requires Middlesex County to process the application and make an eligibility determination in accordance with applicable Medicaid rules.

THEREFORE, it is on this 29th day of SEPTEMBER 2026,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Gregory Woods

Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services