



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 09510-26

***New Jersey Care . . . Special Medicaid
Failure to Verify Eligibility Appeal
N.J.A.C. 10:72-2.1 and N.J.A.C. 10:72-2.3***

S.M.

Petitioner,

v.

MONMOUTH COUNTY BOARD
OF SOCIAL SERVICES

Respondent.

For petitioner: Judy Leib, Designated Authorized Representative

For respondent: Kenneth Mantila, Fair Hearing Liaison

BEFORE: GAURI SHIRALI SHAH, ALJ

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):

Documentary proof of where S.M.'s Social Security income was deposited from 2020-2025, proper self-attestation, and proof of spouse's death.

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

Petitioner's Designated Authorized Representative (DAR) received a request for information dated January 12, 2026, with a due date of January 26, 2026. Petitioner requested an extension of time which was denied by the respondent. However, respondent provided until January 30, 2026, before reviewing the file. Petitioner failed to provide verification of where her Social Security income was deposited from May 2020 through July 2025, proof of spouse's death, and a proper self-attestation form. As a result, petitioner's application was denied on January 30, 2026. Petitioner's DAR explained that the checks were deposited into petitioner's daughter's account but that the daughter did not wish to provide any of her bank statements. Thus, respondent was unable to verify timely petitioner's income as part of the application process. Petitioner's DAR eventually provided the information in July 2026 as part of a second application filed and was approved for Medicaid MLTSS benefits retroactive to November 1, 2025.

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.

8/28/26

DATE

Date Record Closed:

Date Filed with Agency:

Date Sent to Parties:



GAURI SHIRALI SHAH

ALJ

8/7/26

APPENDIX

Witnesses

For Petitioner:

Judy Leib

For Respondent:

Changyou Yu
Namrita Shah

Exhibits

For Petitioner:

- P-1 Email extension request, dated January 22, 2026
- P-2 Follow up email exchange, dated January 23, 2026
- P-3 Documents sent January 27, 2026
- P-4 Medicaid Communication 22-04

For Respondent:

- R-1 Initial Medicaid MLTSS application, dated May 7, 2025
- R-2 RFI, dated January 12, 2026
- R-3 Self-attestation form
- R-4 Denial of application, dated January 30, 2026
- R-5 N.J.A.C. 1:71-2.2(e)2
- R-6 MLTSS eligibility granted February 1, 2026, with benefits retroactive to November 1, 2025