



*State of New Jersey*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES  
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CHRIS CHRISTIE  
*Governor*

ELIZABETH CONNOLLY  
*Acting Commissioner*

KIM GUADAGNO  
*Lt. Governor*

MEGHAN DAVEY  
*Director*

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

D.C.,

PETITIONER,

v.

DMAHS AND GLOUCESTER COUNTY :  
BOARD OF SOCIAL SERVICES :

RESPONDENTS. :

**ADMINISTRATIVE ACTION**

**ORDER OF REMAND**

**OAL DKT. NO. HMA 05889-16**

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is August 8, 2016 in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on June 23, 2016.

This matter arises from the Gloucester County Board of Social Services' (GCBSS) denial of Medicaid eligibility for failure to provide requested verification. At the scheduled June 3, 2016 OAL hearing, the parties entered a settlement on the record whereby Petitioner agreed to provide information previously requested by GCBSS by June 10, 2016. GCBSS agreed to review Petitioner's application and apply a October 1, 2016 effective date if Petitioner is found eligible for benefits.


I hereby REJECT the Settlement Agreement, as the basis of the denial was due to Petitioner's failure to timely provide documentation. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information with no explanation for the additional time as required by N.J.A.C. 10:71-2.3(c). As there are outstanding issues regarding Petitioner's financial eligibility, this Agreement does not dispose of all issues in controversy.

THEREFORE, it is on this 21<sup>st</sup> day of JULY 2016,

ORDERED:

That the Initial Decision approving the terms of the Settlement Agreement in this matter is hereby REJECTED; and

That the matter is hereby REMANDED to the Office of Administrative Law for further action on the issue of Petitioner's Medicaid eligibility.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services