



for this information was not answered by the March 26, 2018 due date. In fact, the record does not show that Deptford Center Nursing Home, who was Petitioner's designated authorized representative, responded to this request.

After Petitioner, through the law firm Cowart and Dizzia, appealed the denial the issue of his mental capacity was raised. ID at 3. While this may have affected his ability to establish and fund a QIT, there is no indication that this affected his ability to produce bank statements or life insurance policies. Petitioner's wife, who was identified on the application as the joint owner of the bank accounts, would have been able to produce the financial documents. The argument that her subsequent admission to Deptford Center prevented this is not borne out by the time line. The application was denied on April 6, 2018. Deptford Center, which would have been authorized by Petitioner's wife to disclose her medical condition in the May 25, 2018 submission, presented an April 19, 2018 admission record to their facility. The first notice that financial information and the QIT were needed occurred February 26, 2018, nearly two months before she entered the nursing home. The record is silent on any efforts by Deptford Center to have Petitioner's wife produce the statements or to notify Gloucester County of any difficulties they were having.

Both Gloucester County and the applicant have responsibilities with regard to the application process. N.J.A.C. 10:71-2.2. Camden County as the County Welfare Agency (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 and accurate submission of data; and promptly notify applicants of eligibility or ineligibility. N.J.A.C. 10:71-2.2(c) and (d). Applicants must provide the CWA with any verification requested. N.J.A.C. 10:71-2.2 (e) provides:

As a participant in the application process, an applicant shall:

1. Complete, with assistance from the CWA if needed, any forms required by the CWA as a part of the application process;
2. Assist the CWA in securing evidence that corroborates his or her statements; and
3. Report promptly any change affecting his or her circumstances.

[Emphasis supplied].

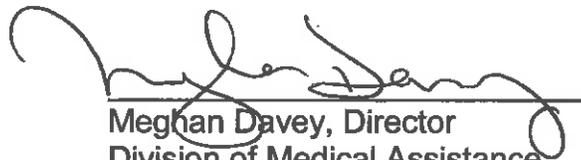
Additionally, N.J.A.C. 10:71-3.1(b) requires the applicant to substantiate her application with corroborative evidence from pertinent sources in support of her application for eligibility.

I agree with the ALJ that the record here supports the denial of the application. Any issues regarding Petitioner's capacity were never conveyed to Gloucester County during the pendency of the application. Moreover, Petitioner's wife was available to assist with gathering financial statements, including those that were also in her name. Thus, I FIND that Petitioner's application was properly denied. He may reapply.

THEREFORE, it is on this 11<sup>th</sup> day of JULY 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services