

This matter concerns the denial of Petitioner's Medicaid application due to the failure to provide information regarding her assets. Petitioner applied in October 2018 through her brother and power of attorney. At the time she had been in a nursing home since November 2015. Gloucester County sought additional information about Petitioner's resources and the sale of her home. It noted that there were several large deposits including one for \$10,000 in October 2017 as well as substantial withdrawals during the lookback period. R-1 at 54. The account in question was opened in August 2016 with a deposit of \$8,361.61. R-1 at 50. No extension of time was requested and Gloucester denied the application for failure to provide necessary verifications.

The Initial Decision upholds the denial and I concur. Both the County Welfare Agency (CWA) and the applicant have responsibilities with regard to 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); MedCom 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).

Gloucester County requested information from Petitioner's attorney who in turn sought documents from Petitioner's brother and Power of Attorney. Petitioner's brother submitted an affidavit stating he knew nothing of her finances and could not provide

verifications. He stated he opened a bank account with Petitioner in 2017. However, at the hearing he testified he “had no idea how or when the account was opened and that he did not own a joint account with petitioner.” ID at 6. The bank statements show the account was opened in August of 2016. He also was a co-owner on her home in New Jersey. As a result, the ALJ found the brother’s testimony was not credible. The ALJ noted that Petitioner failed to provide the documents requested throughout the application process. There remained questions surrounding Petitioner’s finances as evidenced by the substantial deposits and withdrawals throughout the lookback period. Based on my review of the record, I concur with the ALJ’s findings and hereby ADOPT the Initial Decision.

THEREFORE, it is on this 4th day of MAY 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED.

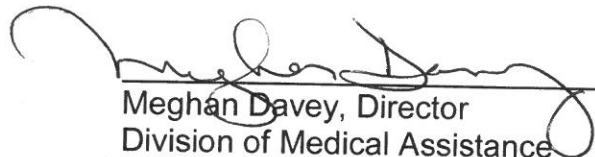

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Meghan Davey, Director
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