



State of New Jersey
Department of Human Services
Division of Medical Assistance and Health Services
P.O. BOX 712
TRENTON NJ 08625-0712

PHILIP D. MURPHY
Governor

Carole Johnson
Commissioner

Sheila Y. Oliver
Lt. Governor

Meghan Davey
Director

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

M.C.,

PETITIONER,

ADMINISTRATIVE ACTION

v.

FINAL AGENCY DECISION

MERCER COUNTY BOARD OF

OAL DKT. NO. HMA 13970-18

SOCIAL SERVICES,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the case file and the documents in evidence. Neither party filed exceptions. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is February 24, 2019 in accordance with an Order of Extension. The Initial Decision was received on November 26, 2018.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. This matter concerns the denial of Petitioner's April 10, 2018 application for Medicaid benefits. The issue below was whether Petitioner timely provided the necessary verifications for the Mercer County Board of Social Services (MCBSS) to make an eligibility determination. 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. 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). The regulation does not require BCBSS to grant an extension beyond the designated time period when the delay is due to circumstances outside the control of both the applicant and the CWA. At best, an extension is permissible. N.J.A.C. 10:71-2.3; S.D. vs. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

Due to the unique facts and circumstances presented here, I agree with the ALJ that the Petitioner should have been given additional time to present the required documentation.


THEREFORE, it is on this ^{17th} day of JANUARY 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That the matter is RETURNED to the Mercer County Board of Social Services so as to determine eligibility in connection with Petitioner's April 10, 2018 Medicaid

application. This Final Agency Decision should not be construed as making any findings regarding Petitioner's eligibility.



Meghan Davey, Director
Division of Medical Assistance
and Health Services