



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY  
Governor

SHEILA Y. OLIVER  
Lt. Governor

CAROLE JOHNSON  
Commissioner

JENNIFER LANGER JACOBS  
Assistant Commissioner

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

P.P.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

PASSAIC COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 05177-19

As Assistant Commissioner 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 September 30, 2019, 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 August 15, 2019.

This matter arises from Passaic County Board of Social Services' (Passaic County) denial of eligibility based on Petitioner's failure to complete the Enhanced At-Risk Criteria (EARC) Pre-Admission Screening (PAS) with the Office of Community Choice Options (OCCO).

Passaic County failed to appear for the hearing. However, a representative from the OCCO and Petitioner entered into a settlement on the record whereby OCCO found Petitioner to be clinically eligible for Medical Assistance, effective February 7, 2019. Financial eligibility, which is the sole purview of Passaic, is not discussed in the settlement.

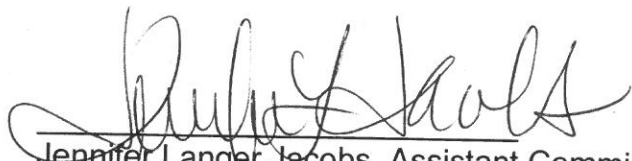
I hereby REJECT the Settlement Agreement as Respondent Passaic County, who issued the denial, was not a party to the settlement. As there are outstanding issues regarding Petitioner's financial eligibility, this Agreement does not dispose of all issues in controversy.

THEREFORE, it is on this 20<sup>th</sup> day of September 2019,

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 termination of Petitioner's Medicaid eligibility.



Jennifer Langer Jacobs, Assistant Commissioner  
Division of Medical Assistance and Health Services