

State of New Jersey

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
Trenton, NJ 08625-0712

CAROLE JOHNSON Commissioner

JENNIFER LANGER JACOBS

Director

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

C.S.

PETITIONER.

٧.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 03152-20

CAMDEN COUNTY BOARD OF SOCIAL SERVICES.

RESPONDENTS.

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the contents of the OAL case file. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 22, 2021 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 the agency's receipt. The Initial Decision was received on January 8, 2021.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety.

This matter arises from the Camden County Board of Social Services' (CCBSS) February 4,

2020 determination that Petitioner was eligible for Medicaid benefits effective November 1, 2019.1

Petitioner is seeking to have the eligibility standard disregarded due to the delay in processing her application. However, absent compliance with the standards set forth in the federal and state Medicaid law, eligibility cannot exist. Indeed, participation in the Medicaid program will be denied if the resources of an individual exceed \$2000 as of the first moment of the first day of the month. N.J.A.C. 10:71-4.1(e) and N.J.A.C. 10:71-4.5(c). Additionally, any resource that is not specifically excluded by regulation "shall be considered a countable resource for the purpose of determining Medicaid Only eligibility." N.J.A.C. 10:71-4.2(a).

On April 29, 2019, Petitioner filed a Medicaid application with CCBSS. Section twelve of the application is entitled "Rights and Responsibilities." It enumerates said rights and responsibilities for the applicant, including the one most applicable here which states, "I understand that an individual is only permitted to retain \$2,000 or \$4,000 in applicable program resources in order to be eligible."

On October 4, 2019, CCBSS issued a request for verifications and notified Petitioner that as of April 1, 2019, her resources of \$8429.23 exceeded the eligibility limit of \$2,000. The undisputed evidence in the record shows that Petitioner's resources exceeded the \$2,000 limit from April through October 2019. As a result, Petitioner was not eligible for Medicaid benefits until November 1, 2019, which is the first day of the first month in which countable resources fell below \$2,000. There is simply no provision in the regulations which would permit a relaxation of the eligibility date so long as the countable resources exceed the maximum limit.

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¹ To clarify, CCBSS' notice was dated February 4, 2020, not March 4, 2020. Petitioner's request for fair hearing was received on February 19, 2020 and transmitted to the Office of Administrative Law on February 28, 2020.

25th
THEREFORE, it is on this day of JANUARY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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Jennifer Langer Jacobs, Assitant Commissioner Division of Medical Assistance And Health Services.