



are husband and wife and both were seeking Medicaid benefits for institutional care. In June 2019 Camden County requested documentation for the couple including the explanation of large withdrawals from and deposits into the couple's accounts, proof of the establishment of a Qualified Income Trust (QIT) for J.W., verification of various insurance policies and the gross pension amount for three pensions listed on the application.R-1 at 22-32. The due date of June 22, 2019 was set. When nothing was received, a second letter was issued on June 24, 2019 requiring that the information be provided by July 9, 2019. On July 9, 2019 Petitioners' representative faxed 178 pages of documents to Camden County. While some of the documentation was in that submission other documents regarding transactions from a financial account, the QIT, proof of the pension and other verifications were not provided and the application was denied on October 10, 2019.

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).

The Initial Decision upholds the denial finding that the record showed that the verifications needed to determine eligibility were not provided. Petitioners' representatives

acknowledged that they did not provide all the documents requested in the July 9, 2019 submission. ID at 4. Additionally, Petitioners' representatives did not request more time or advise Camden County of any difficulty providing the information so as to be considered for an extension of time. In order to be granted an extension of time due to extraordinary circumstances, Camden County needed to be placed on notice that a situation exists. This was not done.

It appears at the hearing that certain documents related to D.W. were found to have been provided in the July 2019 submission. The couple are considered separate applicants and each has an eligibility determination regarding their income. See N.J.A.C. 10:71-5.1. To the extent the resources were owned jointly, the value of those assets would affect both applications. The Initial Decision's finding that the QIT and gross pension amount for J.W. was not provided affects his eligibility and I agree that the denial should be upheld as his eligibility could not be established without the missing information. However, the record and the findings are unclear as to the outcome of the missing information on D.W.'s eligibility. It appears that ancillary documentation related to the annuity owned by the couple was provided in July 2019. ID at 4-5. The decision does not point to any missing verifications related to her assets. Her reported income was below the \$ 2,250 limit and, if the resource information provided shows that assets solely in her name or jointly owned with J.W. were below \$2,000, Camden County may be able to determine D.W.'s eligibility.

Thus, for the reasons set forth above and those contained in the Initial Decision, I hereby ADOPT the Initial Decision's conclusion that Camden County properly denied J.W.'s application. To the extent sufficient information was provided in July 2019 regarding D.W.'s assets, the denial regarding D.W. is REVERSED and RETURNED to Camden County for a review of D.W.'s eligibility and the issuance of a new outcome letter.

THEREFORE, it is on this <sup>18th</sup> day of JANUARY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED with regard to J.W.; and

That the Initial Decision is hereby REVERSED and the matter RETURNED to Camden County with regard to D.W. to determine and issue a new outcome letter regarding eligibility based on the documents provided in July 2019.



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