

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

SARAH ADELMAN Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

M.S.,

PETITIONER,

**ADMINISTRATIVE ACTION** 

V

FINAL AGENCY DECISION

OAL DKT. NO. HMA 07747-20

MONMOUTH COUNTY BOARD OF SOCIAL SERVICES.

LittioLo,

RESPONDENTS.

As the 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. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is January 14, 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 receipt. The Initial Decision was received on November 30, 2020.

This matter arises from the Monmouth County Board of Social Services' (MCBSS) July 21, 2020 denial of Petitioner's Medicaid application for failure to provide verifications.

The issue presented here is whether Petitioner provided the necessary verifications for the

MCBSS to make an eligibility determination. On December 20, 2019, Petitioner, through her

representative, applied for Medicaid benefits. On January 28, February 3, March 11 and

June 29, 2020, MCBSS requested that Petitioner provide information necessary to determine

eligibility. The June 29, 2020 request included a due date of July 13, 2020. Petitioner failed

to completely respond to the request by that date. Thereafter, a letter was drafted and signed

by an MCBSS supervisor on July 21, 2020. On that same say, Petitioner provided additional

documentation in response to MCBSS' request. However, it the response was still

incomplete. Without this information, MCBSS was unable to complete it eligibility

determination and the denial was appropriate.

Additionally, County Welfare Agencies (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. Petitioner's application had been held

open, awaiting additional information, for over 200 days. There is nothing in the record to

support a finding that additional time to respond was requested or that exceptional

circumstances warranted an extension of the due date.

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 9th day of FEBRUARY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs, Assistant Commissioner Division of Medical Assistance

And Health Services

Jeninfa Judo