

Medicaid application due to her failure to provide information that was necessary to determine eligibility. At the time of her application, Petitioner reported that she had no income since her last date of employment on August 28, 2020. R-2. By letter dated September 3, 2020, the Bergen County Board of Social Services (BCBSS) requested that Petitioner provide income verification, including a termination letter and proof that she applied for unemployment benefits. R-3. In response, Petitioner submitted a written statement that her last date of employment was September 15, 2020, and additionally provided monthly pay stubs from May through June 2020. R-4 and R-5. Petitioner also provided a written statement from her domestic partner that his unemployment benefits were exhausted in 2018, and he has not been employed since. R-6. On October 7, 2020, BCBSS denied Petitioner's application for failing to provide the requested verifications. R-8. On October 20, 2020, Petitioner submitted income verifications, including a termination letter, more paystubs, a disability claim, and verification of a New York unemployment claim; however, as her case was already closed, Petitioner was advised to reapply for benefits. ID at 2-3. Petitioner appealed the denial and the matter was transmitted to the OAL for a fair hearing.

On February 16, 2021, prior to the scheduled hearing in this matter, the parties participated in a telephone conference call. During this conference call, Petitioner stated that she believed that she had reapplied for benefits; however, the BCBSS representative confirmed that Petitioner had not reapplied for benefits through BCBSS.¹ Ibid. Petitioner advised that she would reapply for benefits based on her current circumstances and wished to withdraw her present appeal. Ibid. The BCBSS representative requested that

¹ The BCBSS representative advised that Petitioner had completed a Charity Care application after taking one of her children to the hospital and additionally, applied for benefits through the State Vendor. ID at 3.

Petitioner forward an email confirming her withdrawal; however, no written withdrawal from Petitioner was received. Ibid.

By Initial Decision, dated February 22, 2021, the Administrative Law Judge (ALJ) concluded that the Petitioner abandoned her appeal and therefore, dismissed Petitioner's appeal. The ALJ additionally concluded that the BCBSS's October 7, 2020 determination that Petitioner was not eligible for Medicaid benefits should be affirmed.

Based on my review of the record, I concur with the ALJ's findings. I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 21st day of MAY 2021,

ORDERED:

That the Initial Decision dismissing the fair hearing in this matter is hereby ADOPTED.



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