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

W.S.,

    PETITIONER,

    v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

MONMOUTH COUNTY BOARD OF

SOCIAL SERVICES,

    RESPONDENTS.

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ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 10492-2020

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Neither party filed exceptions to the Initial Decision in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is May 10, 2021 in accordance with an Order of Extension.

The matter arises regarding the October 2020 denial of Petitioner's Medicaid application filed in April 2020 by his Designated Authorized Representative (DAR) from

Elder Life Management. Monmouth County Division of Social Services denied the case due to the failure to provide information needed to establish eligibility including information regarding the 2019 statements from a Wells Fargo Advisors financial account. R-1 and R-3.

The Initial Decision upheld the denial. I agree with the assessment that Petitioner failed to provide the sufficient information to establish eligibility. The financial information regarding the Wells Fargo account was requested along with other information in a letter with a deadline of August 24, 2020. R-3. It does not appear that any documents were received by that date since on August 25, 2020 a second request was issued for the same documentation. R-4. A deadline of September 24, 2020 was set. Some documentation was received prior to that September 24, 2020 deadline but the complete accounting of Wells Fargo account was not provided.

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).

Here Monmouth County requested various documents related to Petitioner's application. The Wells Fargo account was not retrievable through the Asset Verification System and Petitioner was required to provide statements to make a determination of eligibility. See Medicaid Communication No. 17-16. While Petitioner's DAR testified the statements were mailed, the Initial Decision determined that the record and testimony supported a finding that the documents were not received and had to be requested to process Petitioner's subsequent application. ID at 5. As such, I hereby ADOPT the Initial Decision.

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

ORDERED:

That the Initial Decision is hereby ADOPTED.

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