

upon my review of the record, I hereby ADOPT the findings and conclusions of the Administrative Law Judge (ALJ).

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 circumstances. 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 forty-five days and Blind and Disabled cases within ninety days N.J.A.C. 10:71-2.3(a) and 42 CFR § 435.912. The timeframe 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 regulations do not require that the CWA grant an extension beyond the designated time period when the delay is due to circumstances outside the control of both the applicant and the CWA. At best, an extension is permissible. N.J.A.C. 10:71-2.3; S.D. v. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

On September 24, 2021, an application for Medicaid benefits was filed with the Gloucester County Board of Social Services (GCBSS) on Petitioner's behalf by her Designated Authorized Representative (DAR), Kendra Moya, an employee of Petitioner's nursing facility. R-1 at 2-19. On October 4, 2021, GCBSS sent a letter to Petitioner's DAR, requesting verification of certain information that were necessary to process the application. R-1 at 20-22. The letter advised that the requested verifications were due by October 14, 2021. Ibid. On October 19, 2021, GCBSS sent a second letter to Petitioner's DAR,

requesting additionally verifications. R-1 at 23. The letter advised that the requested verifications were due by October 29, 2021. Ibid. On October 29, 2021, GCBSS sent a third request for verifications and advised that the requested verifications were due by November 8, 2021. R-1 at 24. On November 9, 2021, GCBSS denied Petitioner's application for failing to provide information related to proof of ownership for two properties, a house and a mobile home, located in Morrisville, PA, and verification of withdrawals for over \$1,000 from a bank account owned by Petitioner. R-1 at 25-26. The properties were owned by Petitioner's late husband. ID at 2-3. The DAR alleged that she has been unable to get information related to the properties at issue. Id. at 3-4.

The Initial Decision in this matter upheld the denial of Petitioner's application, and I concur. The properties were not identified on Petitioner's application and were discovered as a result of GCBSS's independent research related to Petitioner's eligibility. Once found, GCBSS requested documentation related to the properties in order to determine whether Petitioner had interest in either property. The requested verifications were due by November 8, 2021. The DAR acknowledges that she did not provide verifications related to the two properties at issue, and as of the date of the hearing in this matter, the verifications related to the properties have not been submitted. Id. at 3. It is unclear from the record whether the outstanding verifications related to withdrawals over \$1,000 from Petitioner's bank account have been provided.

GCBSS determined that the verifications requested in its letters were necessary in order to process Petitioner's application. The failure to provide the requested documentation within the timeframes set forth in the letters appropriately resulted in the denial of Petitioner's application. There is nothing in the record to reflect that the DAR requested an extension of time to provide the requested verifications nor have any exceptional circumstances been presented by the DAR that would have necessitated an extension of time to provide the timeframes provided by GCBSS.

Accordingly, for the reasons set forth above and those contained in the Initial Decision, I hereby ADOPT the Initial Decision's conclusion that GCBSS properly denied Petitioner's application.

THEREFORE, it is on this 15th day of MARCH 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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