

necessary to determine eligibility. Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference.

The issue presented here is whether Petitioner provided the necessary verifications for the OCBSS to make an eligibility determination. On April 30, 2021, Petitioner, through his Designated Authorized Representative (DAR), filed a Medicaid application with OCBSS. This was Petitioner's third application for Medicaid benefits. On May 12 and June 18, 2021, OCBSS made requests for information necessary to determine Petitioner's eligibility. Some of the requested information was also asked for on the Medicaid application itself. Petitioner did not disclose the information on his application nor did he provide it in response to OCBSS' requests for information. Consequently, OCBSS denied the application on July 27, 2021.

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. However, 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 regulation does not require OCBSS to 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. vs. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

OCBSS held open Petitioner's application for 89 days. The record contains no documented exceptional circumstance warranting an extension of time. MCBSS sent out two requests for information with all information due by June 28, 2021. Petitioner did not provide the information by the June 28, 2021 deadline or the July 27, 2021 denial letter. There is no evidence in the record that Petitioner requested additional time to provide the requested information. Accordingly, I FIND that OCBSS correctly denied Petitioner's April 30, 2021 application for failing to provide information necessary to determine eligibility.

THEREFORE, it is on this 20th day of MAY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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