

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 Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

P.H.,

PETITIONER,

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MONMOUTH COUNTY BOARD OF SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 07403-22

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 Office of Administrative Law (OAL) case file, the documents filed below, and Petitioner's Exceptions. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is November 27, 2022 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 October 13, 2022.

This matter arises from the Monmouth County Board of Social Services' (MCBSS) August 11, 2022 denial of Petitioner's Medicaid application for failure to provide

documentation 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 MCBSS to make an eligibility determination. On July 6, 2022, Petitioner, through his Designated Authorized Representative (DAR), filed a Medicaid application with the MCBSS. The application included a February 20, 2019 Bank of America deposit for \$5,089 and a May 7, 2019 deposit for \$1,300. On July 26, 2022, MCBSS made requests for information necessary to determine Petitioner's eligibility including verification of the source of these two deposits. Petitioner did not provide the requested statements and MCBSS denied the application on August 11, 2022.

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 MCBSS 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).

Petitioner disclosed the information at issue on the application and was aware of his obligation to verify the deposits. The record contains no documented exceptional circumstance warranting an extension of time. Moreover, there is no evidence in the record that Petitioner requested additional time to provide the requested information. Accordingly, I FIND that MCBSS correctly denied Petitioner's July 2022 application for failing to provide information necessary to determine eligibility.

THEREFORE, it is on this 22nd day of NOVEMBER 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance

and Health Services