

State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

PO Box 712

TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

R.M.,

PETITIONER,

v.

MIDDLESEX COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

:
:
:
:
:
:
:
:
:
:
:

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 07419-21

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 and the documents filed below. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is February 18, 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 January 4, 2022.

This matter arises from the Middlesex County Board of Social Services' (MCBSS) August 18, 2021 denial of Petitioner's Medicaid application for failure to provide documentation necessary to determine eligibility. The issue presented here is whether Petitioner provided the necessary verifications for MCBSS to make an eligibility

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


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).

On July 28, 2021, Petitioner filed a Medicaid application with MCBSS. On August 2, 2021, MCBSS requested Petitioner provide information necessary to determine Petitioner’s financial eligibility. Among the items specifically requested were verifications of unexplained deposits and withdrawals, verification that Petitioner’s QIT was properly funded and a plan of liquidation for land located overseas. This information was due to MCBSS by August 12, 2021. At Petitioner’s request, MCBSS extended the due date until August 17, 2021. Petitioner did not provide the requested information by that date and did not request another extension. Without this information, MCBSS was unable to complete its eligibility determination and the August 18, 2021 denial was appropriate.

THEREFORE, it is on this 11th day of FEBRUARY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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