



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

OAL DKT. NO. HMA 13041-24

AGENCY DKT. NO. N/A

G.G.,

Petitioner,

v.

**MORRIS COUNTY DHS/ OFFICE OF
TEMPORARY ASSISTANCE,**

Respondent.

A.G., for Petitioner **G.G.**

Maira Rogers, Fair Hearing Liaison, for respondent pursuant to N.J.A.C. 1:1-
5.4(a)3

Record Closed: December 3, 2024

Decided: August 7, 2025

BEFORE **ANDREW M. BARON**, ALJ

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner seeks coverage under the New Jersey Age, Blind and Disabled Medicaid program. The Division denied his application which was filed on June 14, 2024 based on failure to provide paperwork in a timely manner. A request for information was sent out on June 18, 2024 which resulted in a denial based on insufficient documentation. His

appeal was filed timely and transmitted to the Office of Administrative Law on September 5, 2024.

FACTUAL DISCUSSION AND FINDING OF FACTS

Adriana Guzman testified for G.G. and Maira Rodgers testified for the Division. Also appearing was Maria Garcia.

Upon application in June 2024, petitioner was denied due to failure to provide documents, specifically, a valid photo identification, which is a prerequisite and requirement for an eligibility determination. With the Covid emergency ended, the Division now only sends one Verification, and if the applicant fails to timely respond in full to the request, the application is denied.

Here, while petitioner and his representative provided a Spanish untranslated birth certificate, the application was still lacking a valid form of photo identification. **I FIND** that the failure to provide the required information renders petitioner ineligible for benefits at this time in accordance with the Division's determination.

Should such documentation become available, petitioner is welcome to reapply.

LEGAL ANALYSIS AND CONCLUSION

In this matter, the only dispute is whether the Division correctly determined that petitioner was not eligible for benefits due to failure to complete paperwork. Such a determination is governed by N.J.A.C. 10:71-2.2, Denial of Eligibility due to Non-Cooperation, and N.J.A.C. 10:71-2.3 Subsequent Refusal to Comply. Both provisions address situations where applicants refuse to comply with Division requests for information. However, it is important to observe here that the same provisions also allow under certain circumstances for the Division to extend the time to provide requested documents that are difficult to obtain **and** also permit the agency to assist a petitioner in securing those documents when an applicant is unable or does not know how to secure such information.

This, however, is not a refusal case, as Petitioner's designated representative, who is a credible witness, testified that she substantially complied with the Division's requests, but they could not accept the identification which had been supplied. She further testified that no time did the Division offer to extend the time to secure the outstanding documents, nor did they offer to assist her in securing documents, which under circumstances like these, they are permitted to do.

N.J.A.C 10:71-2.2 authorizes a county board of social services to establish a cutoff date for submission, and while a county board has discretion to extend a deadline for submission, it is nonetheless entitled to determine when sufficient time has passed, and make a determination based on the information that was supplied, whether it is complete or not. See: N.V. v. DMAHS and Gloucester Cty. Bd. of Social Services, OAL DKT. No. HMA 01201 16, 2016 N.J. AGEN. LEXIS, 140 (Initial Decision March 17, 2016), see also: M.B. v. Ocean County Board of Social Services, OAL DKT. No. HMA 14682-15. N.J. AGEN.LEXIS 758 Initial Decision (December 22, 2015).

The agency is charged with requiring the applicant to complete forms and secure evidence that corroborates the statement of applicants and to report any changes that impact an applicant's financial situation. That includes the applicant providing a valid form of photo identification. Normally the process is supposed to be completed in forty-five (45) days. However, the agency has discretion to extend the time to respond, as well as assist a petitioner who is having trouble securing the necessary documents. Due to high volume, and an extensive backlog, the agency has now limited its time to wait after sending out one written request. If it does not hear back in ten days or a petitioner fails to ask for more time, the matter is closed.

In this case, under the circumstances described, **I CONCLUDE** that the Division's determination denying benefits was correct.

Here, petitioner, who is undocumented, was required to provide a valid form of photo identification, a prerequisite to eligibility since the agency must be satisfied the benefits are being provided to the right person. The only thing provided which could not

be understood by the Division was a Spanish birth certificate with no photo identification. Having failed or been unable to comply, I must **CONCLUDE** that the denial should be **AFFIRMED**.

ORDER

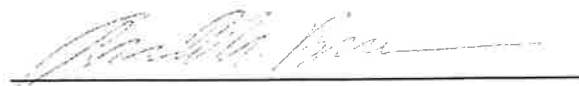
Based on the foregoing it is hereby **ORDERED** that the decision of the agency to deny petitioner's application for benefits is hereby **AFFIRMED**.

I **FILE** this initial decision with the **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**. This recommended decision is deemed adopted as the final agency decision under 42 U.S.C. § 1396a(e)(14)(A) and N.J.S.A. 52:14B-10(f). The **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES** cannot reject or modify this decision.

If you disagree with this decision, you have the right to seek judicial review under New Jersey Court Rule 2:2-3 by the Appellate Division, Superior Court of New Jersey, Richard J. Hughes Complex, PO Box 006, Trenton, New Jersey 08625. A request for judicial review must be made within 45 days from the date you receive this decision. If you have any questions about an appeal to the Appellate Division, you may call (609) 815-2950.

August 7, 2025

DATE



ANDREW M. BARON, ALJ

Date Record Closed:

August 7, 2025

Date Filed with Agency:

August 7, 2025

E-Mailed to Parties:

August 7, 2025

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APPENDIX

Witnesses

For Petitioner:

A.G. for G.G.

For Respondent:

Maira Rogers

Exhibits

Petitioner

None

Respondent

R-1 Division Package