



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

AMENDED

OAL DKT. NO. HMA 09922-24

AGENCY DKT. NO. N/A

J.P.,

Petitioner,

v.

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

Respondent.

J.P., pro se petitioner

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

Record Closed: October 17, 2024

Decided: August 7, 2025

Amended: September 17, 2025

BEFORE **ANDREW M. BARON**, ALJ

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner had been on various Medicaid programs since March 2021 seeks coverage under the New Jersey Age, Blind and Disabled Medicaid program. The Division

denied his application on February 8, 2024, and again on reconsideration on June 11, 2024 based on failure to timely provide paperwork in a timely manner. His appeal was timely filed and transmitted to the Office of Administrative Law on July 24, 2024.

FACTUAL DISCUSSION AND FINDING OF FACTS

J.P. pro se testified and Maira Rogers testified for the Division.

Upon application on January 17, 2024, petitioner was sent a request for information. Among other things, the letter requested bank statements from M&T Bank, a PA-5 from petitioner's doctor, tax return and letter from employer. Though some of the information was provided, it was not everything required by the Division and on February 8, 2024, the application was denied due to incompleteness. 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. Sometime thereafter, the Division expressed a willingness to reconsider and evaluate certain items submitted post denial.

However, upon a second review, the file was still deemed incomplete, and the denial was again issued on June 11, 2024.

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.

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. 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 it's 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 though not obligated to do so, the Division gave petitioner a second chance and agreed to reconsider the matter after several additional documents were produced after the original denial.

Here, the Division gave petitioner a second chance and re-opened the matter for reconsideration, only to ultimately reach the same result. Accordingly, 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

(Amended September 17, 2025)

DATE



ANDREW M. BARON, ALJ

Date Record Closed:

August 7, 2025 (Amended 9/17/25)

Date Filed with Agency:

August 7, 2025 (Amended 9/17/25)

Mailed to Parties:

lr

APPENDIX

Witnesses

For Petitioner:

J.P.

For Respondent:

Maira Rogers

Exhibits

Petitioner

None

Respondent

R-1 Division Package