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DEPARTMENT OF HUMAN SERVICES
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SARAH ADELMAN
Commissioner

GREGORY WOODS
Assistant Commissioner

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

R.B.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

MIDDLESEX COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 16134-24

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. Exceptions were not filed by either party in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is October 27, 2025, in accordance with an Order of Extension¹.

¹ The Initial Decision states that the recommended decision of the Office of Administrative Law, should be deemed adopted as the Final Agency Decision, pursuant to 42 U.S.C. § 1396(e)(14)(A), N.J.S.A. 52:14B-10(f), and N.J.A.C. 17:27.9, upon its filing with the Division of Medical Assistance and Health Services on July 29, 2025. However, the Initial Decision was rendered under a procedural deficiency, as this matter is not one of income eligibility but rather an issue of eligibility date.

This matter arises from the August 28, 2024 approval of Petitioner's Medicaid application by Middlesex County Board of Social Services (Middlesex County). The Petitioner was found eligible effective August 1, 2024. Middlesex County determined that the Petitioner's qualified income trust (QIT), which was established on January 6, 2023 was not properly funded, and that the amendment of the trust, that was made in late March or early April 2023, was not accepted by Middlesex County until August 21, 2024. The Petitioner filed a fair hearing request to appeal the effective date of Medicaid eligibility.

Upon reviewing the documents contained in the OAL file, it was discovered that while the Appendix to the Initial Decision provides that the following exhibits were marked into evidence at the hearing in this matter: P-A Medicaid Determination; P-B Trust A; P-C Trust B; P-D April 10, 2024, Request for Information; P-E June 19, 2024, Email with "Amended Schedule A; P-F August 21, 2024, Email; P-G Trust C; P-H QIT Statements November 2023 -August 2024; and R-A Application; R-B Approval Notice; R-C QIT Trust Templates; R-D QIT Bank Account Statements; and R-E Bank of America statements. None of the referenced exhibits were included in the OAL case file. In order to settle the record, I am remanding the matter to OAL for the purpose of producing the referenced exhibits for inclusion in the OAL case file. See N.J.A.C. 1:1-18.1 and N.J.Ct.R. 2:5-5(B).

Upon production of the missing exhibits, the matter, with the complete case file, should be returned to the agency to render a Final Agency Decision.

THEREFORE, it is on this 18th day of October 2025,

ORDERED:

That the Initial Decision is hereby REMANDED, solely to settle the record and provide the missing exhibits that were entered into evidence below for the inclusion in the OAL case record.

Gregory Woods

Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services