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**State of New Jersey**  
**DEPARTMENT OF HUMAN SERVICES**  
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Commissioner

GREGORY WOODS  
Assistant Commissioner

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

R.D.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

GLOUCESTER COUNTY DIVISION

OF SOCIAL SERVICES

RESPONDENT.

**ADMINISTRATIVE ACTION**

**FINAL AGENCY DECISION**

**OAL DKT. NO. HMA 14993-2024**

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. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is October 17, 2025, in accordance with an Order of Extension.

This matter arises from Gloucester County Division of Social Service's (Gloucester

County) denial of Petitioner's August 28, 2024 application for Medicaid due to a failure to provide information that was necessary to determine eligibility. Id. at 1. The matter was appealed and transmitted to the OAL on October 24, 2024. Id. at 2. A hearing was conducted on November 22, 2024. Ibid. Testimony remained open and the next hearing date was scheduled for December 16, 2024. Ibid. Petitioner, through his DAR, elected not to proceed with the additional examination, which was scheduled for December 16, 2024, and instead, elected to submit documentation for consideration. Ibid. On December 17, 2024, petitioner submitted a second MLTSS application. Ibid. That application was approved a day later on December 18, 2024, with retroactive eligibility to October 1, 2024. Ibid. On January 8, 2025, three weeks following MLTSS approval, petitioner provided his supplemental document submission relating to the August 28, 2024, prior MLTSS application, and Gloucester County consented to their admission into evidence. Id. at 3. Several months after that, petitioner passed away. Ibid.

In the Initial Decision, the Administrative Law Judge (ALJ) found that where there is no difference between the relief provided upon successful appeal of a prior application which is denied and a subsequent application which is approved, the appropriate procedure is to dismiss the prior appeal sua sponte. I agree. In P.P. v. Atlantic Cnty. Dept. of Comm. and Family Development, OAL Docket No. HPW 03193-25 (Mar. 21, 2025), aff'd, Dir. (May 16, 2025), the petitioner continued to seek a hearing even though the County reversed its denial of benefits and provided full back-benefits to the date of application during the fair hearing process in the OAL. There, petitioner maintained that he had the continued right to a hearing, though no greater relief could be provided. Considering the circumstances, the ALJ determined that dismissal was warranted and

dismissed the matter sua sponte. Similarly in this case, Gloucester County approved the Medicaid application that was filed on December 17, 2024, during the pendency of the fair hearing. That application was granted with retroactive benefits to October 1, 2024. The Petitioner was only seeking future coverage. As such, no greater relief could be granted. Total relief was granted by Gloucester County and therefore the fair hearing for the August 28, 2024 application is moot.

Accordingly, based on the record before me and for the reasons set forth above, I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 17<sup>th</sup> day of October 2025,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.

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