



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

FINAL DECISION

OAL DKT. NO. HMA 15018-25

AGENCY DKT. NO. N/A

A.M.,

Petitioner,

v.

**HUDSON COUNTY DEPARTMENT
OF FAMILY SERVICES**

Respondent.

G.M., petitioner's son for **A.M.**

Oswaldo Vagni, Fair Hearing Liaison, appearing for respondent Hudson County
Department of Family Services, pursuant to N.J.A.C. 1:1-5.4(a)(3)

Record Closed: October 7, 2024

Decided: January 15, 2026

BEFORE **ANDREW M. BARON**, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner appeals the termination of Medicaid eligibility due to failure to cooperate and provide necessary information in a timely manner. . .

The within appeal was filed on petitioner's behalf on August 26, 2025, and the matter was transferred and filed as a contested case with the Office of Administrative Law under N.J.S.A. 52:14B-2(b).

DISCUSSION

Petitioner's renewal application was submitted in April 2025.

Two requests for information were sent out for additional resource information in connection with accounts at TD Bank. Those requests went out respectively on or about April 24, 2025, with a second one sent thereafter.

An insufficient response was made resulting in a denial of a Request for Reconsideration.

FINDINGS OF FACT

Based upon due consideration of the facts stipulated by both parties as accurate, I **FIND** the following **FACTS**:

1. Petitioner was a resident of North Bergen, and, as such a Medicaid renewal application was filed on their behalf for eligibility under the New Jersey Medicaid program.
2. At the time of renewal, petitioner had accounts and resources at TD Bank.
3. After a full review of the existing information from TD Bank, the Division on two occasions prior to termination asked for but did not receive a satisfactory response to more than one request for additional information.
4. Accordingly, I **FIND** that the denial of eligibility for the New Jersey Family Care Program, which was issued on July 1, 2025, and again on August 5, 2025, was appropriate, and is hereby **AFFIRMED**.

LEGAL ANALYSIS AND DISCUSSION

In this matter, the only dispute is whether the Division correctly determined that petitioner was not eligible for the New Jersey Medicaid Program, based on excess monthly household income which was not explained or responded to.

N.J.A.C. 10:71-4.1 establishes income limits in order to become eligible for Special Medicaid Programs. The agency is also required to establish that petitioner falls under the maximum allowable asset limit as well.

In order to do so, under 42 CFR Sect. 435.952, the agency is required to do due diligence in sending and seeking additional information from an applicant in order to establish eligibility.

Failure to comply can result in denial/termination from Medicaid.

Having failed to provide satisfactory information about the TD Bank account in a timely manner, I **CONCLUDE** the Division's decision terminating eligibility should be **AFFIRMED**.

Accordingly, I **CONCLUDE** the determination denying eligibility for the New Jersey Medicaid program was correct and is hereby **AFFIRMED**.

ORDER

Based upon the foregoing, it is **ORDERED** that the decision of the agency denying petitioners' application for benefits is and the same is hereby **AFFIRMED**.

I hereby **FILE** my initial decision with the **DIRECTOR OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES** for consideration.

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.

January 15, 2026
DATE


ANDREW M. BARON, ALJ

Date Record Closed: January 15, 2026

Date Filed with Agency: January 15, 2026

Mailed to Parties: January 15, 2026

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APPENDIX

LIST OF WITNESSES

For Petitioner:

G.M. for A.M.

For Respondent:

Oswaldo Vagni

LIST OF EXHIBITS IN EVIDENCE

For Petitioner:

None

For Respondent:

R-1 Package consisting of Requests for Information, Worksheet and Explanation of Termination