

This matter concerns the Middlesex County Board of Social Services' (Middlesex County) failure to determine Petitioner's Medicaid eligibility as of April 30, 2024, due to the absence of a spousal information form. The issue is whether Middlesex County correctly declined to determine Petitioner's eligibility under applicable Medicaid regulations.

On April 30, 2024, E.K., through counsel applied for Medicaid benefits via an online application, listing Petitioner as E.K.'s spouse. (Ex. A.)

On August 19, September 23, and November 26, 2024, counsel sent letters to Middlesex County inquiring about the status of E.K.'s and Petitioner's eligibility. (Ex. C, D.) On October 31, 2024, Middlesex County responded by email, stating that the application remained pending and that, once screened, the applicant or counsel would receive either a request for information (RFI), an approval letter, or a denial letter. (Ex. E.)

On February 12, 2025, Middlesex County issued an RFI for information limited to E.K. only. (Ex. F.)

On February 27, 2025, in response to counsel's inquiry regarding why the RFI was issued solely to E.K., not Petitioner, Middlesex advised that no application had been received for Petitioner. (Ex. G.)

On that same date, Petitioner, through their counsel, applied for Medicaid benefits and requested a fair hearing to dispute Middlesex County's determination that Petitioner had not applied for Medicaid under the April 30, 2024, application. (Ex. H.)

The Initial Decision found that the April 30, 2024, application demonstrated that E.K. was the sole applicant and that Petitioner was identified as the spouse. ID at 5. E.K. was the focus of the questions, and the application never referred to Petitioner as a co-applicant. Ibid. The website also provided guidelines instructing married couples seeking

Medicaid eligibility to submit a spousal information form, which Petitioner failed to submit. Ibid. As a result, Middlesex County did not have sufficient information to determine Petitioner's eligibility, as the majority of the application questions sought information from E.K., the applicant. Ibid. Moreover, N.J.A.C. 10:71-2.2(e)(1) clearly requires that to determine eligibility as a married couple, the applicant must complete a spousal information form. Ibid. The ALJ concluded that Petitioner cannot be considered eligible for Medicaid benefits as of April 30, 2024, because the spousal information form was not submitted with the application. Ibid. The ALJ therefore ordered that Petitioner is ineligible for Medicaid benefits as of April 30, 2024. Ibid.

I concur with the ALJ's findings and conclusions. Eligibility as a married couple requires completion of the spousal information form. N.J.A.C. 10:71-2.2(e)(1). The April 30, 2024, application identified E.K. as the applicant and Petitioner as her spouse. Although the majority of the application questions were specific to E.K. and sought information to determine her eligibility, the application consistently referred to Petitioner as her spouse rather than as an applicant.

Based on the record before me, I hereby ADOPT the Initial Decision because Petitioner was listed as the spouse of E.K., not an applicant on the April 30, 2024 application. Accordingly, Middlesex County correctly declined to determine Petitioner's eligibility under N.J.A.C. 10:71-2.2(e)(1).

THEREFORE, it is on this 17th day of FEBRUARY 2026,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Gregory Woods

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