



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 16924-25

AGENCY DKT. NO. N/A

R.P.,

Petitioner,

v.

ESSEX COUNTY BOARD

OF SOCIAL SERVICES,

Respondent.

Maria D. Castruita, Esq., for petitioner R.P.,

Rebecca Smith, Family Services Worker, for respondent under N.J.A.C. 1: -1-
5.4(a)(3)

Record Closed: January 16, 2026

Decided: February 11, 2026

BEFORE **MARIANNE B. ORTEGA, ALJ:**

STATEMENT OF THE CASE

On July 18, 2025, petitioner, R.P., applied to respondent, the Essex County Board of Social Services, for Medicaid. At the time of application, R.P. provided proof that his bank account had a balance of \$2,751.84. Was R.P. eligible for Medicaid at the time of application? No. R.P.'s resources exceeded the \$2,000 maximum allowable under

N.J.A.C. 10:71-4.5(c) and (d).

PROCEDURAL HISTORY

On July 18, 2025, R.P. applied to Essex County for Medicaid. On July 22, 2025, Essex denied the application for being over resources. On September 10, 2025, R.P. appealed the determination.

On September 24, 2025, Division of Medical Assistance and Health Services (DMAHS) transmitted this case to the Office of Administrative Law (OAL) as a contested case under N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13.

On January 8, 2026, I held the hearing but kept the record open for the submission of written summations.

On January 16, 2026, I received those written summations and closed the record.

FINDINGS OF FACT

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties provided and my evaluation of their sufficiency, I **FIND** the following **FACTS**:

On July 18, 2025, R.P., applied for Aged, Blind, or Disabled (ABD) Medicaid. (P-2) As part of his application, R.P. submitted his Medicaid renewal application with a bank statement for his Provident bank account ending in 3030. The bank statement shows a balance of \$2,751.84 as of the June 24, 2025 closing date.

On July 22, 2025, Essex County sent a termination letter to R.P. advising him that his resources exceeded the Medicaid resource limit, and that his Medicaid coverage end date was August 31, 2025. (P-3)

More than three months later, on November 14, 2025, R.P. provided his Provident bank account in his summary, which shows a balance of \$1,146.64 as of July 1, 2025, after his Medicaid coverage had already been terminated.

CONCLUSIONS OF LAW

Medicaid is intended to be a funding of last resort for those in need. N.J.S.A. 30:4D-2. Need is determined, in part, upon an applicant's resources. The resource criteria and eligibility standards governing participation in the Medicaid Only program apply to all applicants and recipients. N.J.A.C. 10:71-4.1(a). Participation in the program must be denied or terminated if the total value of an individual's resources exceeds \$2,000. N.J.A.C. 10:71-4.5(c) and (d).

Resource eligibility is generally determined as of the first moment of the first day of each month. N.J.A.C. 10:71-4.1(e); N.J.A.C. 10:71-4.5(a)1. A "resource" is broadly defined as "any real or personal property which is owned by the applicant and which could be converted to cash to be used for his/her support and maintenance." N.J.A.C. 10:71-4.1(b). Unless specifically excluded, all liquid and non-liquid resources are considered a "countable" resource in determining eligibility for participation in the Medicaid Only program. N.J.A.C. 10:71-4.1(b); N.J.A.C. 10:71-4.2(a).

The resource must also be "available." N.J.A.C. 10:71-4.1(c)(1). A resource is deemed "available" to an individual when "[t]he person has the right, authority, or power to liquidate real or personal property, or his or her share of it." N.J.A.C. 10:71-4.1(c)1.

An applicant is obliged to provide all required information to support his or her application. In the Medicaid application process, the applicant bears the burden of establishing program eligibility by a preponderance of the credible evidence. Alford v. Somerset Cnty. Welfare Bd., 158 N.J. Super. 302, 310 (App. Div. 1978). During the application process, an applicant is the primary source of information and must cooperate with the County Welfare Agency (CWA) in securing evidence to corroborate their statements. N.J.A.C. 10:71-1.6(2). Meanwhile, a CWA must verify questionable information provided by an applicant, as outlined in N.J.A.C. 10:71-2.2 and -2.3. Toward

this end, the CWA may seek verification documents directly from collateral sources to supplement or clarify essential information. N.J.A.C. 10:71-1.6(a)(2); N.J.A.C. 10:71-2.10.

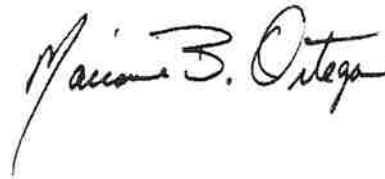
In this case, R.P. submitted all documents that Essex County, the CWA, required to make an eligibility determination, including a bank statement, which showed that he was over the \$2,000 resource limit. Although he later provided another bank statement, which showed that it was under the \$2,000 resource limit, he did not provide Essex County with that information before his coverage ended on August 31, 2025. Therefore, I **CONCLUDE** that R.P. was ineligible for Medicaid when he applied on July 18, 2025.

ORDER

Given my findings of fact and conclusions of law, I **ORDER** that R.P. was **INELIGIBLE** for Medicaid when he applied on July 18, 2025, and that this case is hereby **DISMISSED**.

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.



February 11, 2026

DATE

MARIANNE B. ORTEGA, ALJ

Date Record Closed:

January 16, 2026

Date Filed with Agency:

Date Sent to Parties:

February 11, 2026

ljb

APPENDIX

Witnesses

For petitioner:

Alexandra Resnick, J.D

For respondent:

Rebecca Colon-Smith, Essex County caseworker
Shawn Williams, Essex County Supervisor

Exhibits

For petitioner:

P-A Packet

For respondent:

R-A Packet