

LEGAL NOTICE

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

NOTICE OF TERMINATION OF TIME-LIMITED WAIVER TO ACCEPT INITIAL DECISIONS AS FINAL AGENCY DECISIONS FOR CERTAIN ELIGIBILITY-RELATED FAIR HEARINGS

TAKE NOTICE that the Department of Human Services, Division of Medical Assistance and Health Services (DMAHS), hereby announces the notice of expiration and termination of the temporary authority implemented pursuant to the time-limited waiver approved by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), under section 1902(e)(14)(A) of the Social Security Act.

As set forth in the Notice published by DMAHS, implemented beginning October 2, 2023, regarding the waiver approval dated July 28, 2023, DMAHS was temporarily authorized to permit certain recommended fair hearing decisions issued by the Office of Administrative Law (OAL) (Initial Decisions) to become Final Agency Decisions without further agency review. The temporary authority applied only to eligibility-related fair hearing requests involving denials or terminations based on:

1. Excess income;
2. Excess resources; or
3. Failure to provide requested information.

Pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., including N.J.S.A. 52:14B-10(f), and N.J.A.C. 1:1-18.9(c), DMAHS hereby provides notice that it has issued an Order terminating the temporary authority established under the October 2, 2023, Order due to the expiration of the CMS waiver authority. Effective July 1, 2026, DMAHS shall resume the standard fair hearing review process for all fair hearing matters, including review of Initial Decisions and issuance of Final Agency Decisions in accordance with applicable law and regulation.

A copy of this Notice is available for public review at the Medical Assistance Customer Centers, County Welfare Agencies, and on the Department's website at

<http://www.state.nj.us/humanservices/providers/grants/public/index.html>