

CHRIS CHRISTIE State of New Jersey

Department of Human Service

Governor

KIM GUADAGNO Lt. Governor DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
TRENTON, NJ 08625-0712

JENNIFER VELEZ Commissioner

VALERIE HARR Director

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

P.W.,

PETITIONER,

**ADMINISTRATIVE ACTION** 

**FINAL AGENCY DECISION** 

V.

OAL DKT. NO. HMA 01420-14

**DIVISION OF MEDICAL ASSISTANCE:** 

AND HEALTH SERVICES &

OCEAN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is August 18, 2014, in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on July 2, 2014.

This matter arises from the Ocean County Board of Social Services' (OCBSS) denial of Medicaid eligibility for failure to provide requested verification. However, at the scheduled June 24, 2014 OAL hearing, the parties entered a settlement on the record whereby OCBSS agreed to review documentation submitted by Petitioner at the hearing and determine eligibility by July 24, 2014. The Parties agreed that if the information submitted was insufficient to establish eligibility, OCBSS' denial would remain in effect.

I hereby REJECT the Settlement Agreement as the basis of the denial was due to Petitioner's failure to timely provide documentation. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information with no explanation for the additional time as required by N.J.A.C. 10:71-2.3(c). As there are outstanding issues regarding Petitioner's eligibility, this Agreement does not dispose of all issues in controversy.

THEREFORE, it is on this 15 day of AUGUST 2014,

That the Initial Decision affirming the terms of the Settlement in this matter is hereby REJECTED; and

That the matter is hereby RETURNED to the Office of Administrative Law for further action on the issue of Petitioner's Medicaid eligibility.

Valerie Harr, Director

Division of Medical Assistance

and Health Services