



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Governor

KIM GUADAGNO
Lt. Governor

JENNIFER VELEZ
Commissioner

VALERIE HARR
Director

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

S.G.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES &
MONMOUTH COUNTY BOARD OF
SOCIAL SERVICES,
RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 05101-14

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 14, 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 June 30, 2014.

This matter arises from the Monmouth County Board of Social Services' (MCBSS) denial of Medicaid eligibility for failure to provide requested verification. However, at the scheduled June 20, 2014 OAL hearing, the parties entered a settlement on the record whereby MCBSS agreed to review documentation submitted by Petitioner on June 17, 2014 and determine eligibility by July 20, 2014. The Parties agreed that if the information submitted was insufficient to establish eligibility, MCBSS' 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 18th day of AUGUST 2014,

ORDERED:

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