



**State of New Jersey**

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

CHRIS CHRISTIE  
*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**

R.P,	:	
	:	
PETITIONER,	:	<b>ADMINISTRATIVE ACTION</b>
	:	
v.	:	<b>FINAL AGENCY DECISION</b>
	:	
DIVISION OF MEDICAL ASSISTANCE :	:	<b>OAL DKT. NO. HMA 7818-14</b>
AND HEALTH SERVICES AND :	:	
ATLANTIC 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 Initial Decision and the documents in evidence. Neither Party filed exceptions. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is February 23, 2015 in accordance with an Order of Extension. The Initial Decision in this matter was received on November 25, 2014.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. This appeal stems

from the denial of Petitioner's November 19, 2013 Medicaid application for failing to provide documentation needed to determine eligibility. The rules provide that the application must be processed within 45 days of filing for Aged cases and 90 days for those cases where a disability determination is required for Blind and Disabled applicants. N.J.A.C. 10:71-2.3(a). Under Medicaid Communication No. 10-09, the time frame may be extended when "documented exceptional circumstances arise." For more than six months, the Atlantic County Board of Social Services (ACBSS) worked with Petitioner's attorney to retain all the information necessary to determine eligibility. It is undisputed that requested documents were not supplied to ACBSS prior to the June 4, 2014 deadline. As a result, ALJ Kennedy found that Petitioner failed to provide the verifications necessary to determine eligibility.

Furthermore, I agree with ALJ Kennedy's finding that the denial notice issued by ACBSS constituted adequate notice and that the record clearly shows Petitioner's representative knew what documents ACBSS had requested.

THEREFORE, it is on this 20<sup>th</sup> day of JANUARY 2015,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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Valerie Harr, Director  
Division of Medical Assistance  
and Health Services