



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

R.M.,

PETITIONER,

v.

HUDSON COUNTY DEPARTMENT

OF FAMILY SERVICES,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

ON RECONSIDERATION

OAL DKT. NO. HMA 10205-19
(On REMAND HMA 09313-18)

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed Petitioner's May 15, 2023 correspondence wherein she petitions DMAHS to reconsider the Final Agency Decision (FAD) in this matter, dated April 14, 2023. Petitioner asserts that contrary to the findings in the FAD, the record did contain evidence that Petitioner's son lived with her from July 2014 through July 2016. Specifically, the second page of Petitioner's May 15, 2023 request notes that "the ALJ had before him the complete Medicaid application that was submitted for R.M. and which was delivered by the Hudson County Department of Family Services." The third page of Petitioner's May 15, 2023 request notes that "the Medicaid application in this matter specifically contained the following documentation and proof of residency of E.M. with his mother, R.M. at her home..." The

request went on to list items such as an affidavit, copies of personal income tax returns, copies of drivers licenses spanning several years, and a letter from Hudson County to DMAHS confirming receipt of supporting documentation. Upon review, none of these items were located in the record, nor did they appear in the itemized list of Exhibits at the end of the Initial Decision. However, if they were, in fact, part of the record, they should have been considered as part of the Final Agency Decision.


Therefore, in order to settle the record, I am re-opening and remanding the matter to OAL for the purpose of producing the referenced exhibits for inclusion in the OAL case file. See N.J.A.C. 1:1-18.1 and N.J.R. 2:5-5(B).

Upon production of the missing exhibits, the matter, with the complete case file, should be returned to the agency to render a Final Agency Decision.

THEREFORE, it is on this 5th day of June 2023,

ORDERED:

That the Initial Decision is hereby REMANDED solely to settle the record and provide the missing exhibits that were entered into evidence below for the inclusion in the OAL case record.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance and Health Services