

State of New Jersey

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Shell a V. Oliver

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Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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Sarah Adelman Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

R.S.,

PETITIONER.

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SOMERSET COUNTY BOARD OF SOCIAL SERVICES,

RESPONDENT.

ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 00140-2023

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the exceptions filed by Petitioner. Procedurally, the time period for the Agency Head to file a Final Decision is March 20, 2023 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 February 3, 2018.

The matter arises regarding the denial of Petitioner's Medicaid benefits. S.S., the Designated Authorized Representative (DAR) for Petitioner, applied for NJ Medicaid benefits through the electronic portal on November 15, 2022. On November 17, 2022 the Somerset County Board of Social Services (SCBSS) sent a written request via the portal for verification documents and indicated the documents must be provided within fourteen (14) days, December 1, 2022. Although some documents were provided on November 28, 2022, others were not. As a result, the SCBSS attempted

to contact Petitioner three times and was unable to reach Petitioner.

The Initial Decision held that the SCBSS properly denied Petitioner's eligibility based on Petitioner's failure to provide requested documents in a timely manner. In his in exceptions, Petitioner's DAR argues that the SCBSS should have used mail to communicate with Petitioner because Petitioner "never expressed a preference for phone communication as he has a hearing disability." Exceptions at 1. While it is unfortunate that Petitioner may not answer his telephone for unknown callers or have voicemail setup, the telephone number was provided on his portal application. R-1 at 20. Nonetheless, the initial request for documentation was made in writing and the deadline was indicated. Petitioner was aware of what was needed and still failed to provide it or to request more time to obtain the missing documentation. The SCBSS was not required to advise the individual that the requested documentation was not provided, but did so as a courtesy.

Based on my review of the record, I concur with the Initial Decision.

THEREFORE, it is on this day of MARCH 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Carol grant
OBO Jennifer

Digitally signed by carol grant OBO Jennifer Langer Jacobs Date: 2023.03.17

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