

Petitioner filed a second Medicaid application with Morris County. On May 6, June 4, and June 19, 2020, Morris County made requests for information necessary to determine Petitioner's eligibility.

CWAs must determine eligibility for Aged cases within 45 days and Blind and Disabled cases within 90 days. N.J.A.C. 10:71-2.3(a); MedCom No. 10-09, and Fed. Reg. 42 CFR 435.91. However, the time frame may be extended when "documented exceptional circumstances arise" preventing the processing of the application within the prescribed time limits. N.J.A.C. 10:71-2.3(c). The regulation does not require MCBSS to grant an extension beyond the designated time period when the delay is due to circumstances outside the control of both the applicant and the CWA. At best, an extension is permissible. N.J.A.C. 10:71-2.3; S.D. vs. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

The record contains no documented exceptional circumstance warranting an extension of time. Morris County sent out three requests for information with all information due by June 29, 2020. There is no evidence in the record that Petitioner requested additional time to provide the requested information. While Petitioner attempted to comply with the request, his submission was both incomplete and untimely, having been received fifteen days after the denial was issued. Accordingly, I FIND that Morris County correctly denied Petitioner's April 30, 2020 Medicaid application for failing to provide information necessary to determine eligibility.

THEREFORE, it is on this 10th day of JANUARY 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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