

## State of New Jersey

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

S.A.,

PETITIONER.

V

MORRIS COUNTY DEPARTMENT OF : FAMILY SERVICES, :

RESPONDENTS.

**ADMINISTRATIVE ACTION** 

**FINAL AGENCY DECISION** 

OAL DKT. NO. HMA 06635-20

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the Office of Administrative Law (OAL) case file, the documents filed below. Neither party filed Exceptions. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is January 16, 2023 in accordance with an Order of Extension. The Initial Decision was received on October 18, 2022.

This matter arises from the Morris County Department of Family Services (Morris County) June 29, 2020 denial of Petitioner's Medicaid application for failure to provide documentation necessary to determine eligibility. Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. The issue presented here is whether Petitioner provided the necessary verifications for Morris County to make an eligibility determination. On April 30, 2020,

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

Division of Medical Assistance

and Health Services