

Both the County Welfare Agency (CWA) and the applicant have responsibilities with regard to the application process. N.J.A.C. 10:71-2.2. Applicants must complete any forms required by the CWA; assist the CWA in securing evidence that corroborates his or her statements; and promptly report any change affecting his or her circumstances. N.J.A.C. 10:71-2.2(e). The CWA exercises direct responsibility in the application process to inform applicants about the process, eligibility requirements, and their right to a fair hearing; receive applications; assist applicants in exploring their eligibility; make known the appropriate resources and services; assure the prompt accurate submission of data; and promptly notify applicants of eligibility or ineligibility. N.J.A.C. 10:71-2.2(c) and (d). 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) and 42 CFR § 435.912. 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 regulations do not require that the CWA 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, the extension is permissible. N.J.A.C. 10:71-2.3; S.D. v. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

Here, a Medicaid application was filed with the Camden County Board of Social Services (CCBOSS) on August 11, 2022. By letters dated August 16, 2022, September 22, 2022 and October 11, 2022, CCBOSS requested verifications of specific information related to Petitioner to process his application. The information requested by CCBOSS is as follows:

August 16, 2022

1) Copy of marriage certificate, 2) Designated Authorized Representative (DAR) completed in its entirety, 3) LTC 2 from Elmwood Hills Healthcare Center, 4) Statement of Understanding completed in its entirety, 5) copy of Pre-Paid Burial Agreement and Goods and Services contract for William from Smith Funeral Home and 6) New York Life – AARP 2022 Face Value and Cash Surrender Value Statement.

September 22, 2022

1) Current PNA statement from Elmwood Hills Healthcare for the period of 8/1/22 – 9/1/22, 2) Edward Jones individual Retirement account statement for account ending #xx489 for the period of 8/1/17 to 8/1/22 with cash balance statement in the statements provided.

October 11, 2022

1) Edward Jones statements for account ending #673-1-7 for Patricia Sennett for the period of 8/1/17 to 8/2022 or up to the date of closure to include the closing statement and verification of where the closing funds were deposited and how the funds were used, 2) Edward Jones statements for account ending #484-1-6 for Patricia Sennett and William Sennett, Sr. for period of 8/1/2017 – 8/2022 or up to the date of closure to include the closing statement and verification of where the closing funds were deposited and how the funds were used

r) deposit in the amount of \$16,004.24

On varying dates, Petitioner did provide some of the verifications requested by CCBOSS. However, the October 11, 2023 request for information shows that Petitioner was informed verification would be required for all transactions in the amount of \$2,000 or more, and that any transaction such as checks, deposits or withdrawals had to be explained and supplemented with supporting documentation. Petitioner was also informed that it was his “responsibility to provide the office with clear and concise verification as to how the resources were spent and origin of funds used for deposits. This information is required for any and all accounts that have been opened, closed and

maintained during the requested time frame of 8/1/2017 to 8/2022. If all pending information with a complete and concise response is not received by the date given, case will be denied.” Here, Petitioner failed to provide information pertaining to the March 31, 2020, \$16,004.24 deposit made into the Edward Jones IRA account from the 401K fund. CCBOSS is required to examine all of Petitioner’s assets during the five year look back period, which would date back to August 11, 2017 based on the August 11, 2022 filing date of Petitioner’s Medicaid application. N.J.A.C. 10:71-4.10 (9)(i). Since Petitioner failed to provide this information, his application was appropriately denied on November 18, 2022.

Petitioner asserts that all requested documentation was submitted to CCBOSS on or before the October 25, 2022 deadline. While CCBOSS has acknowledged that some documentation had been submitted regarding these requests, it argues that the documentation provided was insufficient. Specifically, CCBOSS contends the information requested pertaining to the \$16,004.24 initial deposit into the Edward Jones IRA account remained outstanding. R-1.

The Initial Decision determined that while Petitioner’s representatives provided some documentation, the information provided was insufficient which resulted in the denial of Petitioner’s application. I concur. Petitioner failed to meet his burden to showing the documentation CCBOSS alleges remained outstanding at the time of the denial was submitted prior that the October 25, 2022 deadline. CCBOSS specifically advised what documentation was necessary to process Petitioner’s application and determine eligibility. Ibid. Petitioner, through his representatives were aware of the verifications and specific documentation required. Sufficient documentation was not provided in response to the request for verifications in the October 11, 2022 letter which specifically advised that the failure to provide the requested documentation could result in the denial of

Petitioner's application. Ibid. Without the requested documentation, CCBOSS was unable to make a determination related to Petitioner's eligibility and appropriately denied Petitioner's application. Petitioner failed to request any extensions of time to provide the requested documentation and no exceptional circumstances existed in this matter that would have necessitated such an extension.

Accordingly, for the reasons set forth above and those contained in the Initial Decision, I hereby ADOPT the Initial Decision and FIND that CCBOSS's denial of Petitioner's application was appropriate in this matter as Petitioner failed to provide specific information relating to the \$16,004.24 deposit into the Edward Jones IRA account which remained outstanding when Petitioner's Medicaid application was denied.

THEREFORE, it is on this 12th day of DECEMBER 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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Date: 2023.12.12
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Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance and Health Services