

review of the record, I hereby ADOPT the findings and conclusions of the Administrative Law Judge (ALJ).

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, the Essex County Department of Citizen Services Division of Family Assistance and Benefits (Essex County) sent Petitioner a renewal packet on June 15, 2023. On July 28, 2023, Essex County requested documentation related to Petitioner that was necessary to process their application. Essex County specifically requested: (1) two current and consecutive biweekly paystubs from Robert Wood Johnson University

Hospital (RWJ); and (2) an employment letter from Pulse Transportation (Pulse). ID at 2. On August 25, 2023, the Petitioner received a determination letter from Essex County stating that their health care coverage would terminate on August 31, 2023, because they failed to provided requested renewal information in a timely manner. Ibid.

Petitioner did not provide the requested pay stubs from RWJ until five months after the denial letter. ID at 3. In addition, the Petitioner never provided any documentation from Pulse regarding when they last worked for them. Ibid. While the Petitioner testified at the Fair Hearing that they could not obtain a letter from Pulse regarding her employment status, they also admitted that they did not write to Pulse to obtain the requested documentation. Id. at 2.

The Initial Decision the ALJ determined that the Petitioner failed to provide the requested RWJ paystubs in a timely manner, and failed to provide the requested documentation from Pulse regarding their employment status. Id. at 3. Essex County specifically advised what documentation was necessary in order to process Petitioner's renewal and determine eligibility. Petitioner was aware of the specific documentation required. Sufficient documentation was not provided in response to the verifications request by the deadline set forth in Essex County's July 28, 2023 letter, which specifically advised that the failure to provide the requested documentation could result in the termination of Petitioner's Medicaid benefits. Ibid. Without that requested documentation, Essex County was unable to make a determination related to Petitioner's eligibility and appropriately terminated Petitioner's benefits. Additionally, 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 Essex County's termination of Petitioner's Medicaid benefits was appropriate in this matter.

THEREFORE, it is on this 28th day of MAY 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Gregory Woods OBO JLJ

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