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DEPARTMENT OF HUMAN SERVICES
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Assistant Commissioner

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

Y.P.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	ORDER OF RETURN
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 08584-23
	:	
AND HEALTH SERVICES AND	:	
	:	
MORRIS COUNTY OFFICE	:	
	:	
OF TEMPORARY ASSISTANCE ,	:	
	:	
RESPONDENTS.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the OAL case file, the documents in evidence, and the Initial Decision in this matter. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is May 6, 2024 in accordance with an Order of Extension.

The matter arises from the Morris County Office of Temporary Assistance's (Morris County) August 1, 2023 denial of Petitioner's Medicaid application for failure to provide information necessary to determine eligibility. R-1. The issue presented here is whether Petitioner timely provided the necessary verification for Morris County to make an eligibility determination.

The Initial Decision upheld the denial finding that Morris County's determination denying Petitioner's application for failing to provide additional information was correct. The Administrative Law Judge (ALJ) found that there was no proof of a response to Morris County's request for additional information. ID at 2.

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 circumstance. 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); MedComm No. 10-09, and Fed. Reg. 42 CFR § 435.91. 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).


At the hearing, a Morris County representative testified that prior to issuing the denial, Petitioner was asked to send additional paperwork which Petitioner said they never received. ID at 2. The record, while unclear, suggests that Morris County requested the additional information electronically. ID at 2.

The issue at the hearing was the August 1, 2023 denial notice of Petitioner's Medicaid benefits for failure to provide requested information to determine eligibility. It is not clear from the record exactly when and what kind of information Morris County requested from Petitioner. It is also unclear from the record what Petitioner asserts that they did send to Morris County. ID at 2. I disagree with the ALJ's findings upholding the denial because there is no evidence that correspondence went out or was received. The Initial Decision does not address what information was missing to determine eligibility. It is also not clear whether Morris County mailed the required notices to Petitioner or solely requested information electronically.

THEREFORE, it is on this 6th day of MAY 2024,

ORDERED:

That the Initial Decision is hereby REVERSED and the matter RETURNED to Morris County for the issuance of a new request for Information and evaluate Petitioner's eligibility for NJ FamilyCare programs accordingly.



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