



State of New Jersey

**DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

ADMINISTRATIVE OFFICES
QUAKERBRIDGE PLAZA—BUILDING 5 & 7 & 12
QUAKERBRIDGE ROAD
TRENTON, NEW JERSEY 08619

ADDRESS REPLY TO:
CN-712
TRENTON, NEW JERSEY 08625

MEDICAID COMMUNICATION NO: 90-6

DATE: January 23, 1990

TO: County Welfare Agency/Board of Social Services Directors

SUBJECT: Computer Matching and Privacy Act 1988/IEVS Terminations

In response to mandates imposed by the Computer Matching and Privacy Act of 1988 (P.L. 100-503), the Medicaid program is required to modify the adverse action period for individuals who are being terminated due to information received through the Income Eligibility and Verification System (IEVS). As a result, the Division has modified the adverse action period for individuals who are being terminated due to information received through Social Security Administration (SSA) and Internal Revenue Service (IRS) matches of the Income Eligibility Verification System (IEVS), from the existing ten-day adverse action period to a 30-day period.

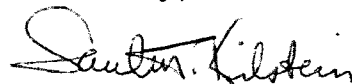
Effective immediately, individuals who are being terminated as a result of information received through the SSA wage and IRS matches of IEVS shall be provided notice at least 30 days prior to the termination of benefits. Additionally, in order to remain consistent with current policy which provides 20 days to request a fair hearing, IEVS related cases will be provided 40 days. The adverse action notice to request a fair hearing should be modified to read:

"You have the right to request a fair hearing on this action. You must request a fair hearing within 40 days of the date of this letter..."

Attached is a revised prototype of the fair hearing notice. You should continue to use the same methodology and 20 day fair hearing parameter for non IEVS related Medicaid actions.

Questions concerning this communication should be referred to field service staff assigned to your county.

Sincerely,

A handwritten signature in dark ink, appearing to read "Saul M. Kilstein". The signature is fluid and cursive, with the first name "Saul" being more prominent.

Saul M. Kilstein
Director

SMK:DE1

Attachments

cc: Larry J. Lockhart
Acting Associate Commissioner
for Operations

Marion E. Reitz, Director
Division of Economic Assistance

Nicholas R. Scalera, Acting Director
Division of Youth and Family Services

To: _____

Case No. _____

Date: _____

This notification is to advise you of the following decision concerning your eligibility for the Medicaid program.

Eligible Effective _____ Terminated Effective _____

Denied

This action has been taken because:

This action is required by the following regulations:

Request for a Fair Hearing

You have the right to request a fair hearing on this action. You must request a fair hearing within 40 days of the date of this letter. If you have been receiving Medicaid benefits and request a fair hearing within the 40-day period, your Medicaid benefits will continue until a hearing decision is reached so long as you remain eligible in all other respects.

HOW TO REQUEST A FAIR HEARING

To request a hearing, complete the reverse side, detach and send to:

Chief, Bureau of Research and Development

CN 712

Trenton, New Jersey 08625

10:49-5.3 Opportunity for Fair Hearing

(b) 3. The claimant shall have 20 days from the date of mailing of notice of departmental action in which to request a hearing. For actions resulting from information obtained through computer matches with federal records, the claimant shall have 40 days in which to request a hearing.

10:49-5.4 Advance notice of intent to terminate, reduce or suspend assistance

(a) 1. "Timely" means that the notice is mailed at least 10 days before the action is to be taken. For actions resulting from information obtained through computer matches with federal records, "timely" means that the notice is mailed at least 30 days before the action is to be taken.

10:71-8.4 Computer and fair hearings

(a) It is the right of every applicant for or recipient of Medicaid Only to be afforded the opportunity for a fair hearing in the manner [established by the policies and procedures set forth in N.J.A.C. 10:81-6, regarding complaints and fair hearings (see N.J.A.C. 1:1.)] set forth in N.J.A.C. 10:49-5.1 et seq., including when applicable, continuation of program benefits pending the results of the fair hearing.