



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

VALERIE HARR
Director

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

O.M.,
PETITIONER,
v.
DIVISION OF MEDICAL ASSISTANCE
& HEALTH SERVICES and
ESSEX COUNTY BOARD OF SOCIAL
SERVICES,
RESPONDENTS.
ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 4799-2015

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is September 10, 2015 in accordance with an Order of Extension.

Petitioner has applied for Medicaid benefits in May 2014. He had been hospitalized since late February 2014. Since he was under age 65, he had to be found disabled in order to receive benefits. N.J.A.C. 10:72-3.10. That determination is made by the Medical Review Team (MRT) and was eventually approved. Eligibility was established as of May 1, 2014. Petitioner, as represented by the hospital, is seeking for Medicaid to pay for his care from February 1, 2014.

Eligibility may only be granted as of the month in which the application is filed. There is a three month window prior to the application month during which retroactive eligibility may be established. However, in order to be eligible for retroactive benefits, the applicant must have been eligible in each of those three months and must have unpaid medical bills. See 42 U.S.C. § 1396a(a)(34) and N.J.A.C. 10:49-2.9(b).

Here, Petitioner was hospitalized with psychomotor retardation, the same diagnosis which formed the basis of the disability determination. He has unpaid Medicaid bills due to his hospitalization and was financially eligible. Thus, I hereby ADOPT the Initial Decision which grants Petitioner three months retroactive eligibility.

THEREFORE, it is on this 5th day of AUGUST 2015

ORDERED:

That the Initial Decision is hereby ADOPTED.



Valerie Harr, Director
Division of Medical Assistance
and Health Services