

the date of the scheduled September 24 OAL hearing, the parties entered into a settlement, whereby Petitioner agreed to provide documentation previously requested by Passaic County to complete the redetermination. Passaic County agreed to review Petitioner's documentation upon receipt of the information. Petitioner has been allowed to retain continued benefits until the review is complete.


I hereby REJECT the Settlement Agreement as the basis of the July 25, 2018 determination was due to Petitioner's failure to timely complete a redetermination for Medicaid benefits. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information with no explanation for the failure of Petitioner to provide the information prior to the August 31, 2018 termination. As there are outstanding issues regarding Petitioner's financial eligibility, this Agreement does not dispose of all issues in controversy. Moreover, the parties cannot agree to the continuation of benefits as that continuation only exists during the duration of a fair hearing. N.J.A.C.10:49-10.4.

THEREFORE, it is on this ^{26th} day of November 2018,

ORDERED:

That the Initial Decision approving the terms of the Settlement Agreement in this matter is hereby REJECTED; and

That the matter is hereby REMANDED to the Office of Administrative Law for further action on the termination of Petitioner's Medicaid eligibility.



Meghan Davey, Director
Division of Medical Assistance
and Health Services