



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

PO Box 712

TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

MEGHAN DAVEY
Director

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

C.A.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
HUDSON COUNTY DEPARTMENT OF
FAMILY SERVICES,
RESPONDENTS.

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 13300-2018

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. Procedurally, the time period for the Agency Head to file a Final Decision is December 6, 2018, in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on October 22, 2018.

This matter arises from the Respondent Hudson County Department of Family Services' termination of Petitioner C.A.'s Medicaid eligibility for failure to complete a recertification of eligibility. On the scheduled October 16, 2018 OAL hearing date, the parties entered into a settlement whereby Hudson County agreed that Petitioner could submit information to allow the County to begin the recertification process and Petitioner agreed to withdraw his request for a hearing without prejudice.

I hereby REJECT the Settlement Agreement as the basis of the termination was Petitioner's failure to complete the recertification process. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information to determine eligibility. As there are outstanding issues regarding Petitioner's eligibility, this Agreement does not dispose of all issues in controversy.

Thus, I REJECT the Settlement Agreement as it does not comply with the law nor does it resolve the termination of Petitioner's benefits and I REMAND the matter for further proceedings.

THEREFORE, it is on this ^{4th} day of DECEMBER 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.


Meghann Davey, Director
Division of Medical Assistance
and Health Services