



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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

J.W.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
CAMDEN COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 16793-2017

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is June 4, 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 in this matter was received on April 19, 2018.

This matter concerns the denial of Petitioner's October 2016 application for Medicaid benefits. Camden County sought additional information pertaining to Petitioner's bank account and her Qualified Income Trust (QIT). Petitioner's total income was \$6,558.40.

Camden County received a copy of the QIT in December 2016 but the document was incomplete and did not include bank statements from the QIT account. ID at 2. Petitioner's Power of Attorney (POA) made several requests for additional time to provide the information. ID at 3. In April 2017, the POA explained there was a delay in depositing Petitioner's income into the QIT and that the bank statements would be provided. Camden County issued another pending letter and, as Petitioner had entered a nursing home in March 2017, requested a listing agreement for her home. R-12.

Camden County issued another five pending letters seeking the needed information. R-13,-15,-17,-22,-24. They also exchanged letters and emails with Petitioner's attorney about the problems with the application and the documents they received. The final pending notice was issued on October 3, 2017 requesting documentation that the QIT had been properly funded and an update on bank statements. The information was due by October 18, 2017. When neither additional information nor a request for an extension was received, Camden County denied the application by letter dated October 20, 2017. R-25.

Both Camden County and the applicant have responsibilities with regard to the application process. N.J.A.C. 10:71-2.2. Camden County as the County Welfare Agency (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 and accurate submission of data; and promptly notify applicants of eligibility or ineligibility. N.J.A.C. 10:71-2.2(c) and (d). Applicants must provide the CWA with any verification requested. N.J.A.C. 10:71-2.2 (e) provides:

As a participant in the application process, an applicant shall:

1. Complete, with assistance from the CWA if needed, any forms required by the CWA as a part of the application process;

2. Assist the CWA in securing evidence that corroborates his or her statements; and

3. Report promptly any change affecting his or her circumstances.

[Emphasis supplied].

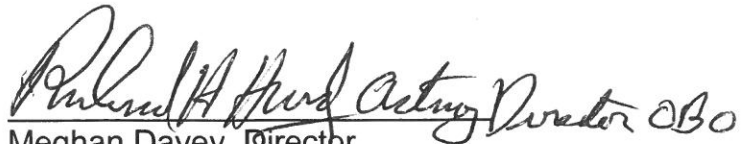
Additionally, N.J.A.C. 10:71-3.1(b) requires the applicant to substantiate her application with corroborative evidence from pertinent sources in support of her application for eligibility.

I agree with the ALJ that the record here does not support Petitioner's argument that Camden County failed in its duty to assist Petitioner. Camden County granted numerous extensions of time to provide the bank information that could not be obtained through any verification system. Moreover, the QIT was not properly funded, which was the responsibility of Petitioner's POA and attorney. ID at 7. There is nothing in the state or federal law that excuses Petitioner from her obligation to obtain documents needed to establish or verify her eligibility. Thus, I FIND that Petitioner's application was properly denied. She may reapply.

THEREFORE, it is on this 15<sup>th</sup> day of JUNE 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services