



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Governor

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Lt. Governor

CAROLE JOHNSON  
Commissioner

MEGHAN DAVEY  
Director

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

M.D.,

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 9846-2017**

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 render a Final Agency Decision is April 30, 2018 in accordance with an Order of Extension.

This matter concerns the denial of Petitioner's February 2017 application for Medicaid benefits. Camden County sought information pertaining to Petitioner's federal pension and her Qualified Income Trust (QIT). Petitioner's authorized representative, Gitty Karp, received two notices that these documents were missing and given an ultimate deadline of April 15, 2017. On May 15, 2017 Petitioner provided some of the information.

Ms. Karp was subsequently advised twice that the application was still not complete. The case was denied on May 26, 2017.

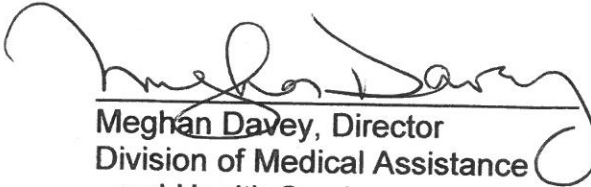
The Initial Decision upholds the denial and I incorporate the findings contained therein by reference. It is clear that Ms. Karp did not provide the requested information until after the case was denied. Indeed, the QIT, which is required prior to establishing Medicaid eligibility, was not even executed until May 26, 2017. County Welfare Agencies (CWAs) must determine eligibility for Aged cases within 45 days and Blind and Disabled cases within 90 days. N.J.A.C. 10:71-2.3(a); MedCom No. 10-09, and Fed. Reg. 42 CFR 435.91. The time frame may be extended when "documented exceptional circumstances arise" preventing the processing of the application within the prescribed time limits. N.J.A.C. 10:71-2.3(c). The regulation does not require Camden County to grant an extension beyond the designated time period. At best, an extension is permissible. N.J.A.C. 10:71-2.3; S.D. vs. DMAHS and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

I FIND that the credible evidence in the record demonstrates that Petitioner failed to provide the needed information prior to the denial of benefits. Indeed, it is disingenuous for Ms. Karp to argue she needed more time to produce documents since Petitioner's QIT was not even executed until May 26, 2017. Petitioner has the opportunity to reapply. Thus, I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 20<sup>th</sup> day of MARCH 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services