



Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. This matter concerns the December 18, 2017 termination of Petitioner's Medicaid benefits due to the failure to provide documentation. The only issue presented here is whether Petitioner provided the necessary verification for the Gloucester County Board of Social Services (GCBSS) to make an eligibility determination.

On June 6, 2017, Petitioner, through his representative, filed his second Medicaid application with the GCBSS. On June 19, 2017, GCBSS sent out a request for information about Petitioner's property, business, a trust and bank accounts. Petitioner's response was due on July 19, 2017. On July 19, 2017, Petitioner's representative notified GCBSS that it had filed for guardianship and requested an extension of time. On October 31, 2017, GCBSS requested an update of Petitioner's guardianship status and again requested the items previously noted in its June 19, 2017 letter. On November 8, 2017, Petitioner's guardian requested an extension of time until December 13, 2017 to provide a response to GCBSS' request for information. GCBSS granted the request, but Petitioner failed to provide the information by either the December 13, 2017 deadline or the December 18, 2017 denial letter.

Both the County Welfare Agency (CWA) and the applicant have responsibilities with regard to the application process. N.J.A.C. 10:71-2.2. 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 GCBSS to grant an extension beyond the designated time period when the delay is due to circumstances outside the control

of both the applicant and the CWA. 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). Here, GCBSS granted extensions to accommodate Petitioner's circumstances resulting in the application remaining open for a total of 224 days.

The credible evidence in the record demonstrates that Petitioner failed to provide the needed information prior to the December 18, 2017 denial of benefits. Without this information, the County was unable to complete its eligibility determination and the denial was appropriate.

THEREFORE, it is on this <sup>25<sup>th</sup></sup> day of JUNE 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
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Meghan Davey, Director  
Division of Medical Assistance  
and Health Services