

documentation necessary to determine eligibility. Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. The issue presented here is whether Petitioner provided the necessary verifications for the CCBSS to make an eligibility determination. On August 31, 2021, Petitioner, through her attorney, filed a Medicaid application with CCBSS. On October 19 and November 18, 2021, CCBSS made requests for information necessary to determine Petitioner's eligibility. Petitioner did not provide the requested information, and CCBSS denied the application on November 28, 2021. Petitioner did not request an extension of time to provide the information until four days after the termination was issued.

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. However, 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 CCBSS 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).

CCBSS held open Petitioner's application for 81 days. Both the October 19 and November 18, 2021 notices made specific requests for information, as well as, general requests for verifications of all transactions exceeding \$2,000. On November 18, 2021, Petitioner was made aware that the affidavit submitted to explain some of the transactions was insufficient. Petitioner was provided additional time to provide proof of the source of the funds in question and was also asked to provide copies of personal and business tax returns. Petitioner provided neither. The record contains no documented exceptional circumstance

warranting an extension of time.¹ Accordingly, I FIND that CCBSS correctly denied Petitioner's Medicaid application for failing to provide information necessary to determine eligibility.

THEREFORE, it is on this 1st day of MAY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services

¹ In Exceptions, Petitioner argues that as of November 23, 2021 she emailed CCBSS to notify them that she had not received the November 18, 2021 notice. Petitioner did not produce that email as evidence at the hearing and it is not part of the record below.