

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 T RENTON, NJ 08625-0712

SARAH ADELMAN Commissioner

JENNIFER LANGER JACOBS Assistant Commissioner

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

I.L.

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PETITIONER,	ADMINISTRATIVE ACTION
V.	FINAL AGENCY DECISION
ESSEX COUNTY BOARD OF SOCIAL SERVICES,	OAL DKT. NO. HMA 09614-21
RESPONDENT.	

As Assistant Commissioner for 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 Office of Administrative Law (OAL) case file. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is September 19, 2022 in accordance with an Order of Extension. The Initial Decision was received on June 21, 2022.

This matter arises from Essex County Board of Social Services' (ECBSS) October 20, 2021 determination that Petitioner was eligible for Medicaid benefits effective August 1, 2021. In a thorough, well-reasoned decision, the ALJ affirmed the eligibility date determined by ECBSS. Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same by reference.

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor On September 16, 2021, Petitioner submitted his fifth Medicaid application to ECBSS. ECBSS approved this application in October 2021 effective August 2021. It is the subject of the current matter. Petitioner did not appeal the denials of prior applications. Therefore, Petitioner's request for retroactive eligibility for Medicaid benefits applied to the filing date of a previous Medicaid application is improper.

An application can only establish eligibility for the month in which it is filed, in this case, September 2021. <u>N.J.A.C</u>. 10:71-4.5(c) states that participation in the Medicaid Only program will be denied if the resources of an individual exceed \$2000. Moreover, resource eligibility is determined as of the first moment of the first day of the month. 20 <u>C.F.R.</u> §416.1207(a) and <u>N.J.A.C</u>. 10:71-4.1(e). The evidence in the record indicates that Petitioner did not provide ECBSS with the verifications needed to establish that his resources were within the prescribed limits until October 2021, in connection with the September 2021 application. Congress provided that retroactive benefits are available when the applicant would have been financially eligible in the three months prior to the application. See <u>N.J.A.C</u>. 10:49-2.9(a) and 42 <u>U.S.C</u>. § 1396a(a)(34). Based on the documentation provided, ECBSS was able to determine that Petitioner would have been financially eligible for Medicaid in August 2021, the month prior to application, and awarded retroactive eligibility for that month.

THEREFORE, it is on this 13th day of SEPTEMBER 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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