

hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference.

On October 29, 2021, Petitioner filed a Medicaid application with the PCBSS. On January 7 and January 20, 2022, PCBSS requested that Petitioner provide additional information needed to process the application. Each notice requested information with regard to the sale of Petitioner's vehicle. All information was due to PCBSS by January 30, 2022. On January 28, 2022, PCBSS granted an extension of time until February 4, 2022 to provide the outstanding information, specifically supporting documents for the sale of the vehicle. The information provided showed that the sale of the vehicle caused Petitioner to exceed the \$2000 Medicaid resource limit. Consequently, PCBSS gave Petitioner until February 10, 2022 to provide proof that the money was spent down to an amount below the resource limit. Petitioner failed to do so, and as a result, remained over the resource limit for benefits.

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 PCBSS 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). Petitioner was granted multiple extensions, and his application was held open for 109 days. The record contains no documented exceptional circumstance warranting yet another extension of time. Moreover, Petitioner was not able to produce evidence that his resources were below the \$2,000 limit until March 25, 2022, in connection with a second Medicaid application.¹

¹ This was another 43 days after the last extension and 38 days after the February 15, 2022 denial.

I FIND that PCBSS correctly denied Petitioner's October 29, 2021 application for failing to provide information necessary to determine eligibility. Moreover, the lack of documentation established that Petitioner's resources exceeded the limit at the time of application through the February 15, 2022 denial. N.J.A.C. 10:71-4.5(c).

THEREFORE, it is on this 19th day of AUGUST 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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