



**State of New Jersey**  
OFFICE OF ADMINISTRATIVE LAW

**INITIAL DECISION**

OAL DKT. NO. HMA 13081-24

G.M.

Petitioner,

v.

OCEAN COUNTY BOARD  
OF SOCIAL SERVICES

Respondent.

***Medicaid Only***  
***Excess Income Appeal***  
***N.J.A.C. 10:71-5***

**STATEMENT OF THE CASE**

Respondent denied petitioner's Medicaid Only application due to excess income under N.J.A.C. 10:71-5.6.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

I.

- ☒ I **FIND** that petitioner or petitioner's representative is **AUTHORIZED** to pursue this appeal; therefore, I **CONCLUDE** that standing has been established.
- ☐ I **FIND** that petitioner or petitioner's representative is **NOT AUTHORIZED** to pursue this appeal; therefore, I **CONCLUDE** that standing has not been established.



**ORDER**

I **ORDER** that:

- ☐ Petitioner's appeal is **DISMISSED** because petitioner has no standing.
- ☒ Petitioner is income **INELIGIBLE** for Medicaid Only benefits under N.J.A.C. 10:71-5.6.
- ☐ Petitioner is income **ELIGIBLE** for Medicaid Only benefits as of \_\_\_\_\_ under N.J.A.C. 10:71-5.6.

I **FILE** this initial decision with the **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**. This recommended decision is deemed adopted as the final agency decision under 42 U.S.C. § 1396a(e)(14)(A) and N.J.S.A. 52:14B-10(f). The **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES** cannot reject or modify this decision.

If you disagree with this decision, you have the right to seek judicial review under New Jersey Court Rule 2:2-3 by the Appellate Division, Superior Court of New Jersey, Richard J. Hughes Complex, PO Box 006, Trenton, New Jersey 08625. A request for judicial review must be made within 45 days from the date you receive this decision. If you have any questions about an appeal to the Appellate Division, you may call (609) 815-2950.

12/02/2024

DATE

Gauri Shirali Shah  
GAURI SHIRALI SHAH, ALJ

Date Record Closed:

11/26/2024

Date Filed with Agency:

Date Sent to Parties:

**APPENDIX**

**Witnesses**

**For Petitioner:**

G.M.

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**For Respondent:**

Adrienne LaRue, Human Services Specialist 3

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## Exhibits

**For Petitioner:**

None

**For Respondent:**

R-1 NJ FamilyCare ABD Medicaid application, dated April 24, 2024

## R-2 Social Security income and Medicare verification

R-3 PA-1E Medicaid eligibility worksheet

#### R-4 Notification of ineligibility

R-5 N.J.A.C. 10:72-4.1(a), N.J.A.C. 10:71-5.4