

was necessary to determine eligibility. The Initial Decision affirmed the denial finding that despite issuing two Requests for Information letters (RFI), Petitioner failed to provide the requested verifications in a timely manner. Based upon my review of the record, I hereby ADOPT the findings and conclusions of the Administrative Law Judge (ALJ) holding that Petitioner failed to timely comply with producing evidence to corroborate program eligibility.

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. Applicants must complete any forms required by the CWA; assist the CWA in securing evidence that corroborates his or her statements; and promptly report any change affecting his or her circumstances. N.J.A.C. 10:71-2.2(e). The CWA exercises direct responsibility in the application process to inform applicants about the process, eligibility requirements, and their right to a fair hearing; receive applications; assist applicants in exploring their eligibility; make known the appropriate resources and services; assure the prompt accurate submission of data; and promptly notify applicants of eligibility or ineligibility. N.J.A.C. 10:71-2.2(c) and (d). 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) and 42 CFR § 435.912. 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 regulations do not require that the CWA 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, the extension is permissible. N.J.A.C. 10:71-2.3; S.D. v. DMAHS

and Bergen County Board of Social Services, No. A-5911-10 (App. Div. February 22, 2013).

Here, on July 24, 2023, Petitioner's Designated Authorized Representative (DAR) filed a Medicaid application on Petitioner's behalf with the Union County Board of Social Services (Union County). (P-4). On August 8, 2023, Union County requested verification of various information related to Petitioner that was necessary to process Petitioner's application. (P-26). Specifically, Union County requested that Petitioner provide the following: (1) a letter from the Social Security Administration stating why your Social Security benefits have stopped; (2) a new valid DAR Form ¹; (3) Answers to all questions on the RFI letter. The various information was due to Union County by August 22, 2023. (P-28).

Thereafter, on August 28, 2023, Union County sent a second RFI requesting the following: (1) Verification of bank account where your social security benefits were deposited, provide copies of quarterly bank statements from 07/01/2018 through 12/31/2023, provide copies of monthly bank statements from 01/01/2023 through present, provide Direct Express statements, if the Social Security benefits are deposited into a Direct Express account. (P-33-36). Specifically, at issue, Union County required the bank account where Petitioner's Social Security benefits were deposited, with quarterly and monthly statements. (R-5). The various information was due to Union County by September 11, 2023. (P-36).

¹ The DAR Form provided with Petitioner's Application was deemed not valid as all signatories were not present at the time of signing.

Having received insufficient responses to the RFI requests, Union County issued an October 12, 2023, denial letter. (P-41).² The requested information, notably the Social Security paper checks were not supplied until after the production deadline on November 23, 2023, (R-5). Petitioner's DAR filed a new application, dated October 26, 2023, which was approved on January 4, 2024, and was retroactive to July 1, 2023.

I agree with the ALJ's findings that Petitioner failed to timely provide required documentation. While the DAR experienced difficulties in obtaining documents, an extension of time was never requested and no documentation of extenuating circumstances warranting an extension was provided. Consequently, Petitioner's Medicaid application was appropriately denied.

Accordingly, for the reasons set forth above, I hereby ADOPT the Initial Decision and FIND that Union County's denial of Petitioner's application was appropriate in this matter.

THEREFORE, it is on this 20TH day of AUGUST 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Gregory Woods

Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services

² Prior to issuing the denial letter Union County performed an Address Verification Service, DOVE and a SOLQ search, a verification screen to verify an applicant's address, social security income, and direct deposit status.