



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 05138-25

G.S.

Petitioner,

v.

Monmouth County Division
of Social Services

Respondent.

Medicaid Only

Failure to Verify Eligibility Appeal

N.J.A.C. 10:71-2.2 and -2.3

STATEMENT OF THE CASE

Respondent terminated petitioner's Medicaid benefits for failure to provide the following evidence of eligibility under N.J.A.C. 10:71-2.2(e):

Application for Medicaid filed on 7/19/24. RFI sent on 1/14/25

via regular mail to DAR in New York. Petitioner's application was

denied on 2/5/25 for failure to respond. Petitioner received

mailed RFI on 2/12/25 and requested an extension of time.

County granted extension until 2/18/25. On 2/18/25 petitioner

sent fax with list of documents to County. However, two documents

were sent on 2/19/25. County would not accept documents

sent on 2/19/25.

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.

II.

- ☐ I **FIND** that petitioner did not timely provide all the required documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a), and that no exceptional circumstances exist under N.J.A.C. 10:71-2.3(c); therefore, I **CONCLUDE** that the Medicaid Only application should be **DENIED** under N.J.A.C. 10:71-2.2(e).
- ☒ I **FIND** that petitioner did not timely provide all the required documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a), but that exceptional circumstances exist under N.J.A.C. 10:71-2.3(c); therefore, I **CONCLUDE** that the time limit for verification should be **EXTENDED** under N.J.A.C. 10:71-2.3(c).
- ☐ I **FIND** that petitioner did not timely provide all the required documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a); exceptional circumstances exist under N.J.A.C. 10:71-2.3(c); and petitioner has since provided all the required documentation; therefore, I **CONCLUDE** that the Medicaid Only application should be **PROCESSED** to determine eligibility under N.J.A.C. 10:71.
- ☐ I **FIND** that petitioner timely provided all the required documentation under N.J.A.C. 10:71-2.2(e) and -2.3(a); therefore, I **CONCLUDE** that the Medicaid Only application should be **PROCESSED** to determine eligibility under N.J.A.C. 10:71.

ADDITIONAL FINDINGS OF FACT/CONCLUSIONS OF LAW

G.S. had Medicaid since 5/23/23 but was terminated at renewal in
2024. County possessed many documents requested in RFI. County
took 6 months to process application but provided G.S. a three-
day extension on Friday 2/14/24 requiring production by 2/18/24.
Petitioner attempted to cooperate with RFI upon receipt of same.
Exceptional circumstances exist under N.J.A.C. 10:71-2.3(c).
See also Medicaid Communication 22-04 regarding processing time,
exceptional circumstances and 90 days for post-termination
production in renewals.

ORDER

I **ORDER** that:

- ☐ Petitioner's appeal is **DISMISSED** because petitioner has no standing.
- ☐ Petitioner is **INELIGIBLE** for Medicaid Only under N.J.A.C. 10:71-2.2(e).
- ☒ Respondent must **EXTEND** the time limit for verification under N.J.A.C. 10:71-2.3(c).
- ☒ The case be **RETURNED** to respondent for respondent to **PROCESS** the application to determine eligibility under N.J.A.C. 10:71.

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.

06/24/2025

DATE



GAURI SHIRALI SHAH, ALJ

Date Record Closed:

06/05/2025

Date Filed with Agency:

Date Sent to Parties:

APPENDIX

Witnesses

For Petitioner:

Rachel Jacobs, DAR

For Respondent:

Lisa Leister, Human Service Specialist 2

Exhibits

For Petitioner:

P-1 Medicaid application, dated 7/19/24

P-2 Denial letter

P-3 2/10/25 email from Jacobs to Hall

P-4 1/14/24 RFI and envelope

P-5 Email chain between Jacobs and Yu

P-6 2/18/25 response to RFI

P-7 2/19/25 additional response to RFI

P-8 Email chain between Jacobs and Leister

P-9 Fax confirmation for 2/18/25

For Respondent:

R-1 Application, dated 7/19/24

R-2 Page 6 of 7/19/24 application

R-3 Pages 8-9 of the 7/19/24 application

R-4 RFI ,dated 1/14/25

R-5 Asset verification screens

R-6 Denial letter dated 2/5/25

R-7 Legal citations

R-8 Medicaid Communication 10-09