



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 05137-25

M.R.

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):

Initial application filed on July 31, 2024.

M.R. provided response to 2/6/25 RFI on 2/17/25 but the following

were not produced: canceled checks/withdrawals for bank transfer

over \$1,000; 2025 pension award letter; long term care policy and

how benefits of policy are received; and verification of owners

of certain bank accounts. Notice of denial followed on 2/28/25.

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

Petitioner produced approximately 94 pages of documents to County
on 2/17/25 in response to RFI. Production did not provide full
response to RFI, including the entire John Hancock policy to
determine how benefits were paid, and if they constituted income
to M.R., the 2025 pension benefit letter and verification of bank
account transactions greater than \$1,000 with credible evidence
such as canceled checks. 4/1/25 email produced as proof of
production by DAR exceeds the 94 pages produced on 2/17/25.

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.

06/26/2025

DATE



GAURI SHIRALI SHAH

, ALJ

Date Record Closed:

06/05/2025

Date Filed with Agency:

Date Sent to Parties:

APPENDIX

Witnesses

For Petitioner:

Mahnaz Mumtaz, DAR

B.R.

For Respondent:

Lisa Leister, Human Service Specialist 2

Exhibits

For Petitioner:

P-1 Medicaid application, dated 7/31/24

P-2 RFI, dated August 26, 2024

P-3 RFI, dated February 3, 2025 and list of documents provided

P-4 QIT document

P-5 Eligibility denial letter, dated 2/28/25

P-6 Fax confirmation letter, dated 2/17/25

P-7 Multiple BOA accounts explanation/proof of ownership

P-8 Email from DAR, dated 4/1/25 with multiple attachments

For Respondent:

R-1 Medicaid application, dated 7/31/24

R-2 RFI, dated 2/3/2025

R-3 Denial of application letter, dated 2/27/25

R-4 Fax confirmation, dated 2/17/25 for 94 page transmission

R-5 through R-8 Not in evidence



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- ☐ 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.

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