

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, Petitioner, through her Designated Authorized Representative (DAR), K.D. filed a Medicaid application on December 13, 2023.¹ R-1. On February 28, 2024, Camden County sent a letter requesting additional information necessary to determine Petitioner's eligibility. Ibid. More specifically, Petitioner was informed that a QIT would need to be established and funded since her income exceeded the limit for MLTSS

¹ Petitioner filed a second application on July 26, 2024, and submitted proof that the QIT had been fully funded. Petitioner's application was approved on the same day with an effective date of July 1, 2024. The approval included three months of retroactive eligibility for April, May and June 2024. See Respondent's Brief, dated December 6, 2024, R-2

Medicaid. Ibid. This information was to be provided by March 13, 2024. Ibid. On March 12, 2024, Petitioner's DAR provided verification that the QIT had been established and noted that Petitioner's pension in the amount of \$290.16 would be used to fund the QIT. See Respondent's Brief, dated December 6, 2024. R-2. However, the QIT document provided showed an initial deposit of \$350 on March 11, 2024, but failed to show that the QIT had been fully funded with only \$290.16. Ibid. On June 14, 2024, Camden County denied Petitioner's application for failure to provide the requested information. Ibid.

The Initial Decision upheld the denial finding that Camden County acted in good faith and that the information provided regarding the funding of the QIT by the deadline was insufficient in detail. ID at 8. The Initial Decision also determined that Petitioner did not provide Camden County with complete information about her QIT and financial assets so that Camden County could make an eligibility determination by June 14, 2024. Ibid. I agree. Petitioner's DAR has been aware since February 28, 2024, when the Request for Information (RFI) was issued that information relating to the establishment and funding of the QIT was necessary to evaluate Petitioner's application for eligibility.² R-3. In its RFI, Camden County informed Petitioner that in addition to establishing the QIT, Petitioner was required to "submit a copy of the QIT along with Schedule A [and] proof of initial account funding." R-1. Petitioner failed to provide all requested information and Petitioner's application was appropriately denied.

Petitioner, through counsel, alleges that Camden County could have reached out to obtain the missing information. See Petitioner's Closing Summation dated December 6, 2024. Petitioner also alleges that the follow up emails to check the application status

² On September 27, 2024, Michael Heinemann, Esq., entered his appearance in this matter. ID at 2. Counsel entered his appearance after the matter had been denied on June 14, 2024.

were sent on April 18, 2024, May 2, 2024, May 20, 2024, May 21, 2024, and May 29, 2024, were ignored. Ibid. However, no proof of these emails was submitted as evidence.

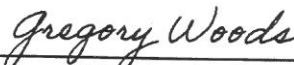
Here, Camden County held open Petitioner's application for approximately 185 days. The Medicaid application is the first point of contact with the receiving agency wherein Petitioner is instructed to provide all financial and relevant documentation. Petitioner, through her DAR, did not fulfill the request made by Camden County in her submission to establish and fund the QIT with only the \$290.16 from Petitioner's pension fund in accordance with State regulations. R-1. See Med Com 14-15.

Accordingly, for the reasons set forth above and those contained in the Initial Decision, I hereby ADOPT the Initial Decision, and FIND that Camden County's denial of Petitioner's December 13, 2023, application was appropriate in this matter.

THEREFORE, it is on this 17th day of MARCH 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.



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