

Chris Christie State of New Jersey

Department of Human Service

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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Trenton, NJ 08625-0712

JENNIFER VELEZ
Commissioner

VALERIE HARR
Director

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

J.M.,

Governor

KIM GUADAGNO

Lt. Governor

PETITIONER,

ADMINISTRATIVE ACTION

ORDER OF REMAND

V.

OAL DKT. NO. HMA 02824-14

**DIVISION OF MEDICAL ASSISTANCE:** 

AND HEALTH SERVICES &

OCEAN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is August 28, 2014, in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on July 14, 2014.

This matter arises from the Ocean County Board of Social Services' (OCBSS) denial of Medicaid eligibility for failure to provide requested verification. However, at the scheduled July 1, 2014 OAL hearing, the parties entered a settlement on the record whereby OCBSS agreed to review documentation submitted by Petitioner, after the denial but prior to the hearing, and determine eligibility by July 31, 2014. The Parties agreed that if the information submitted was insufficient to establish eligibility, OCBSS' denial would remain in effect.

I hereby REJECT the Settlement Agreement as the basis of the denial was due to Petitioner's failure to timely provide documentation. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information with no explanation for the additional time as required by N.J.A.C. 10:71-2.3(c). As there are outstanding issues regarding Petitioner's eligibility, this Agreement does not dispose of all issues in controversy.

THEREFORE, it is on this as day of AUGUST 2014,

ORDERED:

That the Initial Decision affirming the terms of the Settlement in this matter is hereby REJECTED; and

That the matter is hereby RETURNED to the Office of Administrative Law for further action on the issue of Petitioner's Medicaid eligibility.

Valerie Harr, Director

Division of Medical Assistance

and Health Services