

necessary to determine eligibility. The issue presented here is whether Petitioner provided the necessary verification for the Board to make an eligibility determination.

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 circumstance. 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); MedComm No. 10-09, and Fed. Reg. 42 CFR § 435. 91. 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).

Here, Petitioner completed a Medicaid application through their designated authorized representative (DAR) on June 6, 2023. (R-1, Exhibit. A.) Petitioner provided the Board with the Will where they are named as a descendant of their mother's Estate. (R-1, Exhibit D, page 1.) The Will provides that a full accounting is required to be provided to each beneficiary annually. (R-1, Exhibit D, page 5.) On June 8, 2023, the Board issued its request for additional documents including a full accounting of the Estate of Petitioner's mother. (R-1, Exhibit B.) The Board received all documents requested except an accounting of the Estate. When this information was not provided, the application was denied on July 17, 2023 specifically due to the failure to provide an accounting of the

Estate. (R-1, Exhibit C.) Petitioner requested a fair hearing, and the matter was transmitted by the Division of Medical Assistance and Health Services (DMAHS) to the Office of Administrative Law (OAL) as a contested case pursuant to N.J.S.A. 52:14B-1.

The Administrative Law Judge (ALJ) finds and I concur that the denial was appropriate. Despite the requests for information, Petitioner failed to provide the information necessary to make a determination on their Medicaid application

During the hearing, Petitioner's DAR testified that Petitioner has been in a nursing home since August of 2021. Petitioner has been trying to obtain Medicaid coverage since 2021. Petitioner's DAR argued that Petitioner is not entitled to anything under the Will as the Will does not distribute any assets. Petitioner's DAR provided no evidence that they took any steps to acquire the information. Petitioner's DAR did not request an extension during the application review process to provide a full accounting of the Estate.

The credible evidence in this record demonstrates that Petitioner failed to provide the full accounting of the Estate before the June 22, 2023 deadline noted in the RFI, nor anytime thereafter, or satisfactory documentation that Petitioner has not received any assets from the Estate and will not be entitled to receive any assets from the Estate in the future. Without this information, the Board was unable to complete its eligibility determination and the denial was appropriate. Nothing in the record indicates that the missing information was provided by the deadline nor were any extensions of time requested.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Initial Decision.

THEREFORE, it is on this 31st day of January 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED.

**carol grant OBO
Jennifer Langer
Jacobs**

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OBO Jennifer Langer Jacobs
Date: 2024.01.31 14:39:06
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Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance and Health Services