



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

P.O. Box 712
Trenton, NJ 08625-0712

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

A.G.,
PETITIONER,
v.
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
PASSAIC COUNTY BOARD OF
SOCIAL SERVICES,
RESPONDENTS.
ADMINISTRATIVE ACTION
ORDER OF REMAND
OAL DKT. NO. HMA 8473-2016

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 September 12, 2016 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 29, 2016.

This matter arises from the Passaic County Board of Social Services' (Passaic County) termination of Medicaid eligibility due to excess income. On July 25, 2016, the parties entered into a settlement on the record. Petitioner brought an updated pay stub to the hearing but stated he would receive unemployment benefits for the month of August and that his income would change in September when he returned to work. Passaic County agreed to review Petitioner's "eligibility to continue his ACA benefits and notify him via notice thru mail."


I hereby REJECT the Settlement Agreement as the basis of the termination was the fact that Petitioner's income was in excess of the income standard. The Settlement Agreement does not resolve this issue and makes no determination if the termination was correct. Rather the Settlement Agreement addresses future changes to Petitioner's income. As there are outstanding issues regarding Petitioner's current income eligibility, this Agreement does not dispose of all issues in controversy.

THEREFORE, it is on this ^{3rd} day of SEPTEMBER 2016,

ORDERED:

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

That the matter is hereby REMANDED to the Office of Administrative Law for further action on the termination of Petitioner's Medicaid benefits.


Meghan Davey, Director
Division of Medical Assistance
and Health Services