



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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ELIZABETH CONNOLLY
Acting Commissioner

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

F.K.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE :
AND HEALTH SERVICES & :
SOMERSET COUNTY BOARD OF :
SOCIAL SERVICES, :
RESPONDENTS. :

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 04630-16

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 4, 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 June 20, 2016.

This matter arises from the Somerset County Board of Social Services' (SCBSS) denial of Medicaid eligibility for failure to provide requested verification. However, at the scheduled June 7, 2016 OAL hearing, the parties entered a settlement on the record whereby SCBSS agreed to review documentation submitted by Petitioner at the hearing and reevaluate Petitioner's eligibility. The Parties agreed that if the information submitted was insufficient to establish eligibility, Petitioner would again be able to appeal the determination.

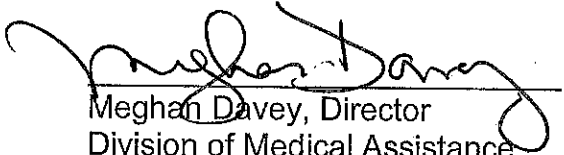
I hereby REJECT the Settlement Agreement, as the basis of the denial was due to Petitioner's failure to timely provide documentation. The Settlement Agreement does not resolve this issue as it relies on the subsequent submission of information with no explanation for the additional time as required by 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 ^{21st} day of JULY 2016,

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.


Meghan Davey, Director
Division of Medical Assistance
and Health Services