



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

P.O. BOX 712

TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

JENNIFER LANGER JACOBS
Director

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

E.L.,

PETITIONER,

v.

MORRIS COUNTY OFFICE OF

TEMPORARY ASSISTANCE,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 06369-20

As the Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of the OAL case file. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is January 31, 2021 in accordance with and Order of Extension. The Initial Decision was received on November 2, 2020.

This matter arises from the Morris County Office of Temporary Assistance (MCOTA) June 11, 2020 of Petitioner's Medicaid application for failure to provide verifications.

The issue presented here is whether Petitioner provided the necessary verifications for the MCOTA to make an eligibility determination. In February and April 2020, MCOTA requested that Petitioner provide information with regard to a \$3,000 life insurance policy. On March 9, 2020, New Jersey Governor Phil Murphy declared a state of emergency and public health emergency.¹ During this time, Petitioner made several attempts to obtain the requested information and informed the MCOTA of the same. However, Petitioner's ability to obtain the information was also hampered by a lockdown on visitors into nursing homes. Petitioner was ultimately able to obtain the information in June 2020.

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); MedCom No. 10-09, and Fed. Reg. 42 CFR 435.91. However, 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). I agree with the ALJ that the unique facts and circumstances presented here prevented the processing of Petitioner's application. Accordingly, I FIND that this matter should be RETURNED to the MCOTA to process Petitioner's application taking into account the life insurance policy verifications provided in June 2020. This Final Agency Decision should not be construed as making any findings regarding Petitioner's eligibility.

THEREFORE, it is on this 21st day of NOVEMBER 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That the matter is RETURNED to MCOTA to process the application in accordance with this Final Agency Decision.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
And Health Services

¹ Executive Order 103