



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

J.L.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE :
AND HEALTH SERVICES AND :
HUDSON COUNTY DEPARTMENT OF :
FAMILY SERVICES, :
RESPONDENTS. :

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 02591-20

As Assistant Commissioner 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 dismissing the case. Procedurally, the time period for the Agency Head to file a Final Decision is July 30, 2020, 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 15, 2020.

This matter arises from Hudson County Department of Family Services' denial of Petitioner's Medicaid eligibility based on income. Before the record opened,

Petitioner advised that he did not wish to continue to a fair hearing. Hudson was ready to proceed, but also advised Petitioner that the income limit increased on January 1, 2020, and that he could again apply for Medicaid coverage as his previous income may now qualify absent other changes to his eligibility. Hudson provided Petitioner with instructions on how to apply online.

The ALJ directed Petitioner to submit a withdrawal by email and, as of the date of the Initial Decision, neither the OAL nor Hudson received confirmation of J. L.'s withdrawal.

Given the circumstances, the ALJ found that Petitioner abandoned his request for a fair hearing and the ALJ concluded that the case should be DISMISSED.

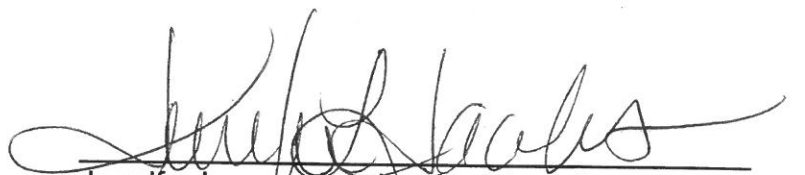
By Initial Decision dated June 15, 2020, the ALJ dismissed Petitioner's appeal.

Based on my review of the record, I concur with the ALJ's findings. The matter has been dismissed and Petitioner may reapply for benefits at any time. I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 26th day of JULY 2020,

ORDERED:

That the Initial Decision dismissing the fair hearing in this matter is hereby ADOPTED.


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