



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

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

| | | |
|-----------------------|---|----------------------------------|
| B.B., | : | |
| | : | |
| PETITIONER, | : | ADMINISTRATIVE ACTION |
| | : | |
| | : | FINAL AGENCY DECISION |
| v. | : | |
| | : | OAL DKT. NO. HMA 06868-20 |
| MONMOUTH COUNTY BOARD | : | |
| | : | |
| OF SOCIAL SERVICES, | : | |
| | : | |
| RESPONDENTS. | : | |

As 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. Respondent filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is June 7, 2021 pursuant to an Order of Extension.

This matter arises from the Monmouth County Board of Social Services' (MCBSS) June 16, 2020 notice denying Petitioner's Medicaid application for failure to provide verifications necessary to determine Medicaid eligibility.

On September 20, 2019, Petitioner, through her representative, filed a Medicaid application with MCBSS. From November 2019 through June 2020, there were three requests for information. Ultimately, the verifications were due by June 15, 2020. The ALJ

found that the FedEx receipts produced by Petitioner were evidence of the timely submission of the verifications requested by MCBSS. I FIND that these receipts are not, in and of themselves, clear proof of timely submission of the verifications requested in connection with this case. The FedEx receipts provided show that on a specific date, Petitioner's representative provided something to MCBSS. However, Future Care represents numerous Medicaid applicants throughout New Jersey, and the FedEx receipts do not reference the Petitioner or the contents of the envelope. That said, Petitioner provided proof that documents were received, via FedEx, by MCBSS on June 15, 2020. MCBSS, relying on the county's date stamp, acknowledged receipt of all documents by June 25, 2020. MCBSS was not able to speak to the process by which it was processing incoming mail during the early stages of the pandemic when the in person workforce was reduced. Therefore, it is conceivable that the documents received on June 15, 2020 were the same documents stamped June 25, 2020. Without further explanation, and given the apparent good faith effort to fulfill MCBSS' request, I am inclined to ADOPT the Initial Decision based on the unique facts and circumstances presented here.

This Final Agency Decision should not be construed as making any findings regarding Petitioner's eligibility.

THEREFORE, it is on this 25th day of APRIL, 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED;

That this matter is returned to the MCBSS to determine Petitioner's eligibility in accordance with this Final Agency Decision.



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