



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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Trenton, NJ 08625-0712

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

VALERIE HARR
Director

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

G.B.,
PETITIONER,
v.
DIVISION OF MEDICAL ASSISTANCE
& HEALTH SERVICES &
WARREN COUNTY BOARD OF
SOCIAL SERVICES,
RESPONDENTS.
ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 9157-2015

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is September 28, 2015, 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 in this matter was received on August 14, 2015.

Petitioner was found eligible for Medicaid as of August 1, 2012. At the time Warren County prepared the calculation for the post-eligibility treatment of income and listed her Social Security and a pension as available to offset Medicaid's cost of paying for Petitioner's nursing home care. During the course of redetermination in 2013, Warren County learned that there was a trust that benefited an individual identified as A.G.B. Petitioner's case was open under Gr.B. Warren County did not link A.G.B. and Gr.B. as being the same individual until 2015. ID at 2.

The trust had been paying Petitioner between \$332.34 to \$349.96 a month since she began receiving benefits in 2012. Petitioner failed to report this monthly income or the existence of the trust on her application. In June 2015, Warren County corrected the PR-1 form to show that Petitioner's income, including the trust income, must be paid over to the nursing home. See 42 CFR § 435.725.

Based on my review of the record and the correct law, I FIND that Warren County correctly recalculated Petitioner's contribution to care. Thus, I ADOPT the Initial Decision.

THEREFORE, it is on this ^{10th} day of SEPTEMBER 2015

ORDERED:

That the Initial Decision is hereby ADOPTED.



Valerie Harr, Director
Division of Medical Assistance
and Health Services