

ineligibility for the transfers. Petitioner's son claims that a portion of the transfer was payment for care giving services provided in the past. In accordance with N.J.A.C. 10:71-4.10(b)6.ii, care and services provided for free in the past are presumed to have been intended to be delivered without compensation. If payment is to be made there must a preexisting written agreement to pay for such services at a fair market rate. No such document was presented here.

After reviewing the record, I concur with the ALJ's findings in the Initial Decision and hereby ADOPT them in their entirety.

THEREFORE, it is on this 3rd day of APRIL 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Carol A Grant
OBO Jennifer
Langer Jacobs

Digitally signed by Carol A
Grant OBO Jennifer Langer
Jacobs
Date: 2023.04.03 22:19:46
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Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services