

State of New Ilersev

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DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 Trenton, NJ 08625-0712

SARAH ADELMAN Commissioner

JENNIFER LANGER JACOBS Assistant Commissioner

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

F.N.,

PETITIONER, ADMINISTR v. FINAL AGE DIVISION OF MEDICAL ASSISTANCE OAL DKT. N AND HEALTH SERVICES AND MIDDLESEX COUNTY BOARD OF SOCIAL SERVICES RESPONDENTS.

ADMINISTRATIVE ACTION FINAL AGENCY DECISION OAL DKT. NO. HMA 05444-2022

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is May 19, 2023, 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 April 4, 2023.

This matter arises from the imposition of a transfer penalty on Petitioner's receipt of Medicaid benefits. Since October 26, 2022, Petitioner's representatives have failed to

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor communicate with the OAL and proceed with the appeal. By Initial Decision, dated April 4, 2023, the Administrative Law Judge (ALJ) concluded that Petitioner failed to appear, pursuant to N.J.A.C. 1:1-14.4(a), and therefore, dismissed Petitioner's appeal.

Based upon my review of the record and for the reasons set forth in the Initial Decision, I hereby ADOPT the findings and conclusions of the ALJ and FIND that Petitioner abandoned her appeal and the matter should be dismissed. Accordingly, the Initial Decision of the OAL is ADOPTED as the Final Agency Decision in this matter.

THEREFORE, it is on this 12th day of MAY 2023,

ORDERED:

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

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