

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

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

G.T.,

PETITIONER.

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DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND:

MONMOUTH COUNTY DIVISION

OF SOCIAL SERVICES

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 02363-2023

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 June 26, 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 May 12, 2023.

This matter arises from the imposition of a transfer penalty on Petitioner's receipt of Medicaid benefits. At the request of Petitioner's Designated Authorized Representative

(DAR), the hearing in this matter was adjourned to April 21, 2023. The DAR failed to appear at the April 21, 2023 hearing and failed to respond to the OAL's request for an explanation regarding the DAR's non-appearance. By Initial Decision, dated May 12, 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, the appeal in this matter had been abandoned.

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 1st day of JUNE 2023,

ORDERED:

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

Jan Joseph

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