

State of New Hersey

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

PETITIONER, v. DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES AND MORRIS COUNTY OFFICE OF TEMPORARY ASSISTANCE, RESPONDENTS.

ADMINISTRATIVE ACTION FINAL AGENCY DECISION OAL DKT. NO. HMA 01430-2023

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 May 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 April 11, 2023.

This matter arises from the imposition of a transfer penalty on Petitioner's receipt of Medicaid benefits. Based upon my review of the record and for the reasons set forth in the

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

M.E.,

Initial Decision, I hereby ADOPT the findings and conclusions of the Administrative Law Judge (ALJ) and FIND that Petitioner has failed to rebut the presumption that the transfers at issue in this matter were made in order to establish Medicaid eligibility, and, therefore, the imposed penalty period in this matter was appropriate. Accordingly, the Initial Decision of the OAL is ADOPTED as the Final Agency Decision in this matter.

THEREFORE, it is on this 25th day of APRIL 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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