

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

W.A.,

PETITIONER,

**ADMINISTRATIVE ACTION** 

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**FINAL AGENCY DECISION** 

MONMOUTH COUNTY DIVISION

OF SOCIAL SERVICES,

OAL DKT. NO. HMA 07121-22

RESPONDENTS.

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of the OAL case file. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 26, 2023 in accordance with an Order of Extension. The Initial Decision was received on November 28, 2023.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. The undisputed evidence in the record indicates that Petitioner was receiving \$2,200 each month from his IRA account. Any income which is not specifically excluded shall be includable in the determination of countable income. N.J.A.C. 10:71-5.4(a). Such income shall include payments received in an annuity, pension, retirement or disability benefits etc. N.J.A.C. 10:71-5.4(a)3. Thus the IRA distribution is countable as income in the month it is received.

THEREFORE, it is on this 7th day of FEBRUARY 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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

Services