

within 45 days of the agency's receipt. The Initial Decision was received on April 20, 2015.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. This appeal stems from the denial of Petitioner's Medicaid application for failure to provide verification explaining the source of cash deposits into Petitioner's checking account. The County was concerned that Petitioner may have had undisclosed assets or another source of income that was not reported.

In a thorough and well-reasoned decision, the ALJ reversed the County's denial finding that the testimony of W.F. as well as that of the former Executive Director at the Assisted Living Facility where W.F. resides provided sufficient corroborating evidence that the deposits in question came from the cash assets Petitioner kept in a locked safe-type cabinet at the assisted living facility. I accept the ALJ's fact-findings, which are based, in part, upon his assessment of the witnesses who testified at the administrative hearing. The fact-finder's assessment of the credibility of witnesses is entitled to deference by the reviewing agency head. Clowes v. Terminix, 109 N.J. 575 (1988).

Based upon my review of the record, I also agree with the ALJ that Petitioner is Medicaid eligible because he has spent down his resources below the limit to qualify for benefits and has no undisclosed assets or unreported income.

THEREFORE, it is on this 22nd day of May 2015,

ORDERED:

That the Initial Decision finding Petitioner eligible for Medicaid benefits is hereby ADOPTED as the Final Decision in this matter.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services