



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

M.T.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES &
BURLINGTON COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 12047-16

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is December 30, 2016 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 November 15, 2016.


This matter arises from the Burlington County Board of Social Services' (BCBSS) denial of Medicaid benefits for Petitioner because she had not obtained five years of legal residency in the United States. N.J.A.C. 10:78-3.2(e)(2). At the scheduled November 1, 2016 OAL hearing, the parties entered into a settlement on the record whereby Petitioner acknowledged that she had not been in the United States for five years and agreed to explore other options presented to her by BCBSS and available to her at school. The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

I agree with the ALJ's conclusions regarding the Settlement Agreement and ADOPT the Initial Decision as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this 20th day of DECEMBER 2016,

ORDERED:

That the Initial Decision affirming the terms of the Settlement in this matter is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services