

State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
P.O. Box 712
Trenton, NJ 08625-0712

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

CHRIS CHRISTIE

Governor

MEGHAN DAVEY
Director

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

B.B..

PETITIONER,

٧.

DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND:

OCEAN COUNTY BOARD OF:

SOCIAL SERVICES:

ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 00628-17

RESPONDENTS.

As Director of 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 in this matter is November 24, 2017 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 the agency's receipt. The Initial Decision in this matter was received on August 24, 2017.

Based upon my review of the record, I hereby adopt the findings and conclusions of the Administrative Law Judge in their entirety and I incorporate the same herein by reference. This matter arises from the Ocean County Board of Social Services' (OCBSS) determination that Petitioner was eligible for Medicaid benefits effective July 1, 2016 with retroactive eligibility May 1, 2016 to June 30, 2016. At issue is whether Petitioner's Medicaid eligibility should be granted for the period May 1, 2015 to April 30, 2016.

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). The evidence in the record shows that Petitioner submitted a new application for Medicaid on July 28, 2016 and that Petitioner was granted eligibility effective July 1, 2016 with retroactive benefits beginning May 1, 2016. Petitioner has not provided any evidence to support an earlier date of eligibility.

THEREFORE, it is on this // day of OCTOBER 2017,

ORDERED:

That the recommended decision affirming the effective date of Medicaid eligibility is hereby ADOPTED.

Meghan Davey, Director
Division of Medical Assistance
and Health Services