



State of New Jersey
Department of Human Services
Division of Medical Assistance and Health Services
 P.O. BOX 712
 TRENTON NJ 08625-0712

PHILIP D. MURPHY,
 Governor

Sheila Y. Oliver
 Lt. Governor

Carole Johnson
 Commissioner

Meghan Davey
 Director

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

D.R.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
 AND HEALTH SERVICES AND
 GLOUCESTER COUNTY BOARD
 OF SOCIAL SERVICES,
 RESPONDENTS.

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ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 09889-18

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. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is November 5, 2018, 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 was received on September 19, 2018.


Based upon my review of the record, I hereby ADOPT the Administrative Law Judge's recommended decision because it is in accordance with the Medicaid regulations governing resource eligibility. N.J.A.C. 10:71-4.5(c) states that participation in the Medicaid Only program will be denied if the resources of an individual exceed \$2000. Moreover, resource eligibility is determined as of the first moment of the first day of the month. 20 C.F.R. §416.1207(a) and N.J.A.C. 10:71-4.1(e). The undisputed evidence in the record indicates that Petitioner had countable resources in excess of the \$2000 limit through April 2018. As a result, she was ineligible for benefits.

The eligibility procedure is clearly set forth in the regulations and there is simply no provision which permits a relaxation of the eligibility date so long as the countable resources exceed the maximum limit.

THEREFORE, it is on this 25th day of OCTOBER 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services