



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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.V.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE :

AND HEALTH SERVICES AND :

OCEAN COUNTY BOARD OF :

SOCIAL SERVICES, :

RESPONDENTS. :

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 15221-2017

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is April 26, 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 receipt. The Initial Decision in this matter was received on March 12, 2018.


The matter arises regarding the recovery of \$6,865.75 in incorrectly paid benefits. Petitioner applied for benefits in November 2014 and was found eligible. In April 2015, she started a higher paying job that included health insurance. In December 2015, Petitioner completed a redetermination and reported her higher income. As a result Mercer County Board of Social services terminated her Medicaid benefits on April 30, 2016.

Based upon my review of the record, I hereby ADOPT the Administrative Law Judge's recommended decision concluding that the Mercer County Board of Social Services was authorized to seek reimbursement of the incorrectly paid benefits pursuant to N.J.S.A. 30:4D-7.i during the time period Petitioner was over income. Petitioner was obligated to inform Mercer County of any changes in her income and if she obtains other health insurance. R-3. When she failed to do so, Petitioner received incorrectly paid benefits from April 1, 2015 through April 30, 2016.

THEREFORE, it is on this 19th day of APRIL 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services