

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

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

CAROLE JOHNSON Commissioner

MEGHAN DAVEY

Director

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

J.P.,

PETITIONER.

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DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
ESSEX COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 05646-18

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 entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is August 30, 2018 in accordance with an Order of Extension. The Initial Decision was received on May 30, 2018.

Based upon my review of the record, I hereby ADOPT the Initial Decision of the

Administrative Law Judge (ALJ). I agree with the ALJ and accept her fact-findings, which are based, in part, upon her 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). I agree with the ALJ that Petitioner suffers from an illness that affects his employment status. As a result, I agree that under the unique and specific facts and circumstances presented here, Petitioner's Medicaid should not have been terminated.

THEREFORE, it is on this that of August 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Meghan Davey, Director Division of Medical Assistance and Health Services