



State of New Jersey
Department of Human Services
Division of Medical Assistance and Health Services
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PHILIP D. MURPHY
 Governor

Carole Johnson
 Commissioner

Sheila Y. Oliver
 Lt. Governor

Meghan Davey
 Director

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

L.L.,

PETITIONER,

ADMINISTRATIVE ACTION

v.

FINAL AGENCY DECISION

OAL DKT. NO. HMA 2805-18

DIVISION OF MEDICAL ASSISTANCE :

AND HEALTH SERVICES & :

HUDSON COUNTY BOARD OF :

SOCIAL SERVICES, :

RESPONDENTS. :

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 May 31, 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 was received on April 16, 2018.


This matter arises from the Hudson County Board of Social Services' (HCBSS) July 29, 2018 imposition of a transfer penalty. However, at the scheduled OAL hearing, the Petitioner presented evidence that she qualified for an exemption pursuant to N.J.A.C. 10:71-4.10(d)(3) and 42 USC 1396p(c)(2)(A)(iii). 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.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Settlement Agreement.

THEREFORE, it is on this ^{24th} day of MAY 2018,

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