



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

PO Box 712

TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Acting Commissioner

MEGHAN DAVEY
Director

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

R.C.,

PETITIONER,

v.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

SUSSEX COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

OAL DKT. NO. HMA 7857-2017

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. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Decision is March 5, 2018 in accordance with an Order of Extension.

The matter arises regarding the April 1, 2017 eligibility date based Petitioner's application for Medicaid benefits filed in December 2016. The Office of the Public Guardian had been appointed in July 2016. Sussex County sought information

regarding Petitioner's ownership of two life insurance policies worth \$12,341 and \$1,074.55 respectively. ID at 2. Petitioner liquidated those policies in March 2017 and paid for past nursing home care. As a result, Sussex County determined that Petitioner was eligible for benefits as of April 1, 2017. Petitioner is seeking an earlier eligibility date.

The Initial Decision held that Petitioner's benefits were properly determined to be effective April 1, 2017. Petitioner, through his guardian, had the right to liquidate the life insurance policies at the time he applied for benefits. As such, their value was countable towards the resource limit. N.J.A.C. 10:71-4.1. The record shows that Petitioner remained above \$2,000 until April 1, 2017. Thus, I hereby ADOPT the Initial Decision in its entirety.

THEREFORE, it is on this ^{21st} day of FEBRUARY 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services