

State of New Jersey Department of Human Services Division of Medical Assistance and Health Services P.O. BOX 712

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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

R.G.,

N.G.,	
PETITIONER,	ADMINISTRATIVE ACTION
ν.	FINAL AGENCY DECISION
v.	OAL DKT. NO. HMA 11709-17
DIVISION OF MEDICAL ASSISTANCE	
AND HEALTH SERVICES AND	
CAMDEN COUNTY BOARD	
OF SOCIAL SERVICES,	
RESPONDENTS.	s - 2

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, the contents of the OAL case file and Petitioner's exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is September 2, 2018, in accordance with an Order of Extension. The Initial Decision was received on June 4, 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. <u>N.J.A.C.</u> 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 <u>C.F.R.</u> §416.1207(a) and <u>N.J.A.C</u>. 10:71-4.1(e). The undisputed evidence in the record indicates Petitioner's resources exceeded the \$2000 limit until May 2017 when he presented a life insurance check to the nursing facility to be applied to his outstanding bill. As a result, he was ineligible for benefits prior to June 1, 2017.

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 May of AUGUST 2018,

ORDERED:

That the Initial Decision affirming the June 1, 2017 effective date of Medicaid eligibility is hereby ADOPTED as the Final Decision in this matter.

Meghan Davey, Director Division of Medical Assistance and Health Services