

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. N.J.A.C. 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 C.F.R. §416.1207(a) and N.J.A.C. 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 21st day 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