



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
Commissioner

MEGHAN DAVEY
Director

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

W.F.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

OCEAN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 7137-2018

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. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is November 1, 2018 in accordance with an Order of Extension.

The matter arises regarding the recovery of \$4,039.89 based on incorrectly paid benefits for Petitioner. Petitioner has been receiving Medicaid since 2012. He reported unemployment income but did not report income he earned from wages. Ocean County discovered this unreported income and found that Petitioner was not eligible from July 2012 through October 2012; January 2014 through March 2014; July 2016 through December

2016; and July 2017. R-1. For the reasons set forth below and those contained in the Initial Decision, I hereby adopt the findings and recommended decision.

Petitioner contended that he informed Ocean County every time his income changed. As evidence of this he provided numerous documents about his employment history. Some of the documents had a stamp from Ocean County dated August 12, 2016. The other documents, which purport to show Petitioner's employment in July 2012, December 2013, February 2014, August 2016 and October 2016 do not contain any time stamp. ID at 6. Thus, I agree with the finding that Petitioner failed to notify Ocean County of his income at any time other than August 2016.

The Initial Decision did note that Petitioner was able to demonstrate that in three of the months – July 2012, March 2014 and July 2016 – he had countable income under the limit. I agree and order that the overpayment be reduced by \$263.89, \$145.77 and \$513.12 for a total of \$912.78.


THEREFORE, it is on this 31st day of OCTOBER 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED;

That Petitioner subject to the overpayment of \$3,126.11; and

That Ocean County may enter a payment plan to recoup the overpayment.



Meghan Davey, Director
Division of Medical Assistance
and Health Services