



February 2019, her benefits were terminated because her resources exceeded the \$2,000 limit for an individual. ID at 2. Essex County discovered that Petitioner co-owned two Wells Fargo Bank accounts with her daughter whose balance far exceeded \$2,000 from June 2018 through February 2019. For the reasons set forth below and those contained in the Initial Decision, I hereby adopt in part and modify in part the findings and recommended decision.

The record reflects that Petitioner, through her daughter and Power of Attorney did not offer any evidence to counter the overpayment. In fact, her daughter confirmed that Petitioner was a co-owner of the account. ID at 3. I agree that Petitioner was over resource from June 2018 through February 2019. R-2. However, the \$45,437.50 overpayment reflects charges from March, April and May 2018. The account balances offered by Essex County begin with June 2018. As such, I find that those three months are incorrectly included in the overpayment amount and I hereby reduce the overpayment amount to \$37,291.36.

THEREFORE, it is on this <sup>2<sup>nd</sup></sup> day of OCTOBER 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED in Part;

That Petitioner's overpayment is MODIFIED to \$37,291.36; and

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



Jennifer Langer Jacobs, Assistant Commissioner  
Division of Medical Assistance  
and Health Services