

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 Trenton, NJ 08625-0712

CAROLE JOHNSON Commissioner

JENNIFER LANGER JACOBS Assistant Commissioner

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

D.D.,

v. DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES AND MONMOUTH COUNTY BOARD OF SOCIAL SERVICES,

PETITIONER,

RESPONDENTS.

ADMINISTRATIVE ACTION

ORDER OF RETURN

OAL DKT. NO. HMA 16684-2018

As Assistant Commissioner 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 render a Final Agency Decision is December 2, 2019 in accordance with an Order of Extension.

The matter arises regarding Petitioner's application filed on June 29, 2018. At the time she was residing in a nursing home. Monmouth County sought information regarding

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor Petitioner's prior residences, her bank accounts and transfers she made during the lookback period. Petitioner, through her authorized representative Future Care Consultants, failed to provide the information and, after a second request for information was sent on October 9, 2018, the application was denied. Petitioner then provided the information and Monmouth County discovered that Petitioner had active coverage with NJ Family Care. Petitioner provided no information about this application to Monmouth County. Pursuant to <u>N.J.A.C.</u> 10:71-1.6(a)(3) Petitioner cannot have duplicative coverage and the case was denied.

Petitioner is represented by counsel for the nursing home at the hearing. She no longer resides there. As evidenced by the production of claims denials, the only issue counsel is seeking to resolve is to have the facility paid for services prior to September 2018.

The Initial Decision found that Monmouth County should have processed the case including reviewing Petitioner's assets for transfers which would not be considered in her NJ FamilyCare application. I agree with this determination and hereby RETURN the matter to Monmouth County.

THEREFORE, it is on this day of NOVEMBER 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That the matter is RETURNED to Monmouth County for further review and action as set forth above.

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