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Governor

SHEILA Y. OLIVER Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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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

B.B..

PETITIONER.

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DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND

MORRIS COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 16928-2019

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. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is May 26, 2020 in accordance with an Order of Extension.

The matter arises regarding the denial of Petitioner's August 2018 application

Medicaid benefits due to excess resources. Morris County determined that Petitioner's resources, specifically her bank account and the Personal Needs Allowance (PNA) account, exceeded the resource limit of \$2,000. Petitioner also owned a life insurance policy during this time period which was eventually spent down.

The Initial Decision upheld the denial and I concur.¹ Petitioner provided no evidence to counter the finding that in each of the months prior to July 2019 her resources exceeded \$2,000. However, I note that the order incorrectly concludes that Petitioner was subject to a two-day penalty. ID at 4. The record contains no indication that there was a penalty imposed and I hereby MODIFY the Initial Decision to remove that conclusion. The findings in the prior pages and in the OAL record clearly establish that Petitioner's first application was properly denied due to excess resources.

THEREFORE, it is on this day of MAY 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED in part and MODIFIED in part as set forth above.

Jennifer Langer Jacobs, Assistant Commissioner

Division of Medical Assistance

and Health Services

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¹ For the record Petitioner did not appeal the outcome of the second application that found her eligible as of July 1, 2019 and granted her Pre-Eligibility Medical Expenses (PEME) for April, May and June 2019.