

PHILIP D. MURPHY 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

Director

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

I.H.,

PETITIONER,

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DIVISION OF MEDICAL ASSISTANCE :
AND HEALTH SERVICES AND :
CAMDEN COUNTY BOARD OF :
SOCIAL SERVICES, :

RESPONDENTS.

...

FINAL AGENCY DECISION

ADMINISTRATIVE ACTION

OAL DKT. NO. HMA 17948-19

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the contents of the OAL case file. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is July 13, 2020 pursuant to an Order of Extension.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety.

This matter arises from the Camden County Board of Social Services' (CCBSS) October 11,

2019 determination that Petitioner was eligible for Medicaid benefits effective September 1, 2019.

Petitioner is seeking to have the eligibility standard disregarded due to the delay in processing her application. However, absent compliance with the standards set forth in the federal and state Medicaid law, eligibility cannot exist. Indeed, participation in the Medicaid program will be denied if the resources of an individual exceed \$2000 as of the first moment of the first day of the month. N.J.A.C. 10:71-4.1(e) and N.J.A.C. 10:71-4.5(c). Additionally, any resource that is not specifically excluded by regulation "shall be considered a countable resource for the purpose of determining Medicaid Only eligibility." N.J.A.C. 10:71-4.2(a). The undisputed evidence in the record indicates that Petitioner's resources exceeded the \$2000 limit until the cash proceeds from her life insurance policy were used to prepay Petitioner's funeral expenses. As a result, Petitioner was not eligible for Medicaid benefits until September 1, 2019, which is the first day of the first month in which her countable resources fell below \$2,000. There is simply no provision in the regulations which would permit a relaxation of the eligibility date so long as the countable resources exceed the maximum limit.

THEREFORE, it is on this day of MAY 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs, Assitant Commissioner Division of Medical Assistance

And Health Services.