

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

JENNIFER LANGER JACOBS Assistant Commissioner

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

Z.B.,		:	
	PETITIONER,	:	ADMINISTRATIVE ACTION
	v.	:	FINAL AGENCY DECISION
DIVISION OF MEDICAL ASSISTANCE		:	OAL DKT. NO. HMA 0536-2020
AND HEALTH SERVICES AND		:	
HUNTERDON COUNTY BOARD OF		:	
SOCIAL SERVICES,		:	
1	RESPONDENTS.	:	

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. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is March 26, 2019 in accordance with <u>N.J.S.A.</u> 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on February 10, 2020.

The matter arises regarding the denial of Petitioner's September 2019 application Medicaid benefits due to excess resources. Hunterdon County had determined that Petitioner's resources, specifically a home in Florida that he rents, exceeded the resource limit. Petitioner revealed the home on his application and stated it was worth about \$160,000 but had an encumbrance of over \$100,000. Petitioner's countable income was set at \$2,000.50. While this amount also renders him ineligible for Medicaid, Hunterdon County only listed the excess resources as a basis for the denial.

The Initial Decision upheld the denial and I concur. Petitioner claims that he had little equity value in the Florida property but the rent covers the mortgage payment. ID at 3. While the equity value could affect the valuation of the resource, Petitioner offered no evidence that the property was worth less than \$2,000. N.J.A.C.10:71-4.1(d). Rather Petitioner did not dispute the resource amount but wanted to retain the home to live in when his daughter went to college. Even using Petitioner's unverified valuations, his estimated equity would be around \$60,000 which far exceeds the resource maximum. Thus, I hereby ADOPT the Initial Decision.

THEREFORE, it is on this day of MARCH 2020, ORDERED:

That the Initial Decision is hereby ADOPTED.

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

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