



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

SARAH ADELMAN
Commissioner
JENNIFER LANGER JACOBS
Assistant Commissioner

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

A.S.,

PETITIONER,

v.

MIDDLESEX COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

Vertical line of dots separating petitioner and respondents

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 01585-22

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 entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is July 25, 2022, in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject or modify the Initial Decision within 45 days of the agency's receipt. The Initial Decision was received on June 10, 2022.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. The issue presented here is whether or not the Middlesex County Board of Social Services (MCBSS) correctly determined the Petitioner's available income and cost share. It is undisputed that MCBSS corrected its cost share calculation for Petitioner after it learned that he resided in a nursing facility. It is also undisputed that because he resides in a nursing facility, Petitioner's Personal Needs Allowance (PNA) is \$50 and that his obligation to contribute to his cost of care is correctly stated in the revised PR-1. I agree with the ALJ that MCBSS' determination is correct and that it should be applied prospectively. Since MCBSS has not notified Petitioner otherwise, this decision will not address retroactive application of Petitioner's cost share.

THEREFORE, it is on this 1st day of JULY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Carol Grant OBO Jennifer Langer Jacobs
Digitally signed by Carol Grant OBO
Jennifer Langer Jacobs
Date: 2022.07.01 09:45:50 -04'00'

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