



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

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

B.C.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
V.	:	FINAL AGENCY DECISION
	:	
MONMOUTH COUNTY BOARD OF	:	OAL DKT. NO. HMA 07779-21
SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the OAL case file and the Initial Decision in this matter. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is February 17, 2022 in accordance with an Order of Extension. The Initial Decision was received on November 18, 2021.

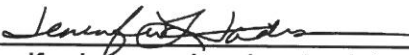
Based upon my review of the record, I hereby ADOPT the Administrative Law Judge's recommended decision because it is in accordance with the Medicaid regulations governing resource eligibility. This matter arises from the Monmouth County Board of Social Services' (MCBSS) August 16, 2021 denial of Medicaid benefits due to excess resources.

Pursuant to an August 3, 2021 Final Agency Decision regarding the same application, MCBSS undertook a review of Petitioner's burial trust to determine if it met the parameters for resource exclusion.¹ Based upon its review, MCBSS determined that the Petitioner submitted an incomplete burial trust, the amount of which placed Petitioner over the resource eligibility limit. However, at the hearing, Petitioner provided evidence that that burial trust was created and funded consistent with N.J.A.C. 10:71-4.4. It is therefore, an excludable resource.

THEREFORE, it is on this 11th day of FEBRUARY 2022

ORDERED:

That the Initial Decision is hereby ADOPTED.



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

¹ That Final Agency Decision determined that Petitioner's life insurance policy, with a face value of \$1,121.01, was excludable pursuant to N.J.A.C. 10:71-4.4(b)4i.