

# State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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

M.A.,

PETITIONERS,

v.

HUDSON COUNTY DEPARTMENT

OF FAMILY SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 03369-22

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this matter, including the Initial Decision and 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 24, 2022 in accordance with 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 9, 2022.

This matter arises from Hudson County's April 1, 2022 notice of Medicaid Overpayment for \$4,193.19 in incorrectly paid benefits from April 15, 2015 through

November 2015 due to Petitioner's being over the Medicaid income limit. On February 3, 2016, Petitioner agreed to remit \$35 per month to reimburse Hudson County for the overpayment. On March 10, 2016, Petitioner began making payments pursuant to said agreement. She made a total of thirty-two payments from March 2016 through December 2018. Petitioner made no payments after December 2018. Hudson County began using One-Trac in 2022, and an outstanding payment letter was generated and issued to Petitioner. Therefore, the notice at issue does not address a new overpayment but rather the previously agreed upon repayment plan.

I agree with the ALJ that the Petitioner had the opportunity to dispute the Medicaid overpayment when it was issued six years ago. Although she claims she did not understand the repayment agreement, she does not dispute that her income exceeded the Medicaid limits. The Division is statutorily authorized to seek reimbursement of Medicaid overpayments. Indeed, recovery in this matter is based upon N.J.S.A. 30:4D-7(i), which mandates the Division "to take all necessary action to recover the cost of benefits incorrectly provided to . . . a recipient." Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference.

THEREFORE, it is on this <sup>13th</sup> day of JULY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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