



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Medical Assistance and Health Services

P.O. Box 712

Trenton, NJ 08625-0712

PHILIP D. MURPHY
Governor

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

JENNIFER LANGER JACOBS
Assistant Commissioner

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

H.G.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 07860-2023
	:	
AND HEALTH SERVICES AND	:	AND HMA 09779-2023
	:	
MERCER COUNTY BOARD	:	(CONSOLIDATED)
	:	
OF SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Office of Administrative Law (OAL) case file and the Initial Decision dismissing the case. No exceptions were filed in this matter. Procedurally, the time-period for the Agency Head to file a Final Agency Decision is May 6, 2024 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 receipt. The Initial Decision was received on March 21, 2024.

This matter arises from the imposition of a 440-day transfer penalty on Petitioner's receipt of Medicaid benefits and the denial of Petitioner's request for a hardship exemption in relation to that imposed penalty period. Both matters were transmitted separately to the OAL for a fair hearing. The matters were then consolidated by Order, dated November 24, 2023.

During the January 10, 2024 telephone conference in this matter, counsel for Petitioner advised the Administrative Law Judge (ALJ) that Petitioner had passed away. ID at 2. By letter dated January 31, 2024, counsel for Petitioner withdrew from the matter. Ibid. During a March 18, 2024 telephone conference, a representative from Petitioner's family advised that neither the family nor Petitioner's estate would be proceeding with this matter. Ibid.

By Initial Decision, dated March 21, 2024, the ALJ concluded that, as a result of Petitioner's passing and her estate not pursuing the appeals, the present matter should be dismissed due to lack of prosecution. Based upon my review of the record and for the reasons set forth in the Initial Decision, I hereby ADOPT the findings and conclusions of the ALJ.

THEREFORE, it is on this 1st day of MAY 2024,

ORDERED:

That the Initial Decision dismissing the fair hearings in this matter due to lack of prosecution is hereby ADOPTED.



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