

reject, or modify the Initial Decision within 45 days of the agency's receipt. The Initial Decision in this case was received on September 4, 2014.

At issue is a 623 day penalty imposed due to Petitioner's transfers totaling \$162,610. Petitioner bears the burden of proof to demonstrate that she received fair market value for the assets transferred. N.J.A.C.10:71-4.10(j). Aside from testimony from family members, Petitioner offered no corroborating evidence with regard to the amount or nature of the transfers at issue. Petitioner was unable to rebut the presumption that the transfers were for less than fair market value. Accordingly, the ALJ found that the Monmouth County Board of Social Services properly considered the \$162,610 transfer of assets and affirmed the transfer penalty.

After reviewing the record, I concur with the ALJ's finding and ADOPT the Initial Decision in its entirety.

THEREFORE, it is on this 20th day of October, 2014,

ORDERED:

That the Initial Decision affirming the transfer penalty is hereby ADOPTED.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services