



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

CAROLE JOHNSON  
Acting Commissioner

MEGHAN DAVEY  
Director

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

M.O.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

BURLINGTON COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 13076-2015

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Petitioner filed exceptions in this matter. Procedurally, the time period for the Agency Head to file a Final Decision is February 9, 2018 in accordance with and Order of Extension.

The matter arises regarding the eligibility of Petitioner's Medicaid benefits. At issue are Petitioner and her husband's handling of their assets as they sold two

residential properties. Petitioner applied in August 2014. At the time she was living in a nursing home. She and her husband owned a property in New Jersey and another one in Pennsylvania. Burlington County found her eligible as of February 1, 2015. Petitioner contends she was also eligible from July 2014 through December 2014. She admits she was not eligible in January 2015.

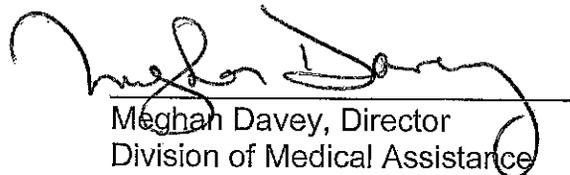
The Initial Decision held that Petitioner was eligible as of July 1, 2014 onward. Based on my review of the record, I concur with the Initial Decision and ADOPT with regard to the July 1, 2014 eligibility date. However, in exceptions, Petitioner conceded that she was not eligible during the month of January 2015 as the proceeds from the sale of the Pennsylvania property were available to her. This is correct and I hereby MODIFY the Initial Decision accordingly.

THEREFORE, it is on this <sup>5<sup>th</sup></sup> day of FEBRUARY 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED in part; and

That the Initial Decision is MODIFIED as Petitioner is not eligible for the month of January 2015.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services