



Petitioner certified that she had no income, other than social security, or resources. However, the Asset Verification System (AVS) and statements from Petitioner's Bank of America and Chase accounts revealed that the Petitioner's accounts exceeded \$4,000 from October 1, 2016 through March 31, 2018.

Based upon my review of the record, I hereby ADOPT the Administrative Law Judge's recommended decision concluding that BCBSS was authorized to seek reimbursement of the incorrectly paid benefits pursuant to N.J.S.A. 30:4D-7.i during the time period Petitioner was over resources. Furthermore, I agree with the ALJ and accept her fact-findings, which are based, in part, upon her assessment of the witnesses who testified at the administrative hearing. Clowes v. Terminix, 109 N.J. 575 (1988). The recitation of facts show that Petitioner's bank accounts were in existence from 2011 through 2018 and that there were multiple and current deposits and withdrawals every month. Moreover, Petitioner's testimony about the source of the funds in the accounts was not consistent with her explanation to BCBSS.

THEREFORE, it is on this 21<sup>st</sup> day of DECEMBER 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services