



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

G.L.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

HUDSON COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 5016-2019

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of 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 September 23, 2019 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 August 8, 2019.

This matter stems from the termination of Petitioner's Medicaid benefits due to the failure to provide information regarding property she owns in Venezuela. Petitioner had

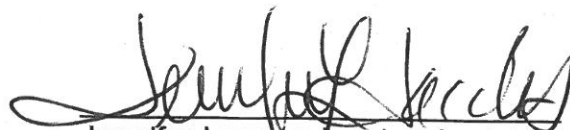
lived in Venezuela and owned an apartment with her now ex-husband. She was given the apartment under the divorce decree and had a tenant move in when she returned to the United States. The tenant has since stopped paying rent and is a squatter on the premises. Hudson County requested information regarding the apartment, including an appraisal. Petitioner claims that she must be present for the appraisal and does not receive any income from the property.

Based upon my review of the record and due to unusual circumstances in this matter, I hereby ADOPT the Initial Decision that Petitioner's termination should be reversed. However, the apartment should be recorded in Petitioner's file as a currently unavailable resource. I take notice that Venezuela is at the highest level of U.S. State Department travel advisories instructing Americans to not travel due to "crime, civil unrest, poor health infrastructure, kidnapping, and arbitrary arrest and detention of U.S. citizens." <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/venezuela-travel-advisory.html>. As the unrest and the travel advisory continues, the apartment will be considered unavailable. However, Petitioner shall provide Hudson County with updates at redetermination about the status of Petitioner's ability to obtain an appraisal or otherwise liquidate the apartment.

THEREFORE, it is on this ^{am} day of SEPTEMBER 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.



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