



Petitioner's application from 2015 was denied due to excess resources of \$70,000 that she held in a joint account with her son. Despite her contention that the funds belonged to her son, that denial was upheld by the prior Initial Decision and adopted by the Final Agency Decision. Petitioner appealed the denial to the New Jersey Superior Court, Appellate Division and the matter was remanded so as to supplement the record with a letter from Liberty Bell Bank and to consider this letter in relation to the denial. Petitioner applied for benefits again and was found eligible as of January 1, 2015 with a penalty for transfer of \$58,000 in resources. Both the remand and the appeal of the transfer penalty were consolidated at the OAL.

The Initial Decision again determined that Petitioner had not demonstrated that the funds were not her resource. There was no credible evidence or documentary trail that the funds in the account belonged to Petitioner's son. The letter from Liberty Bell Bank was neither certified nor attested to. Moreover, it "provided no basis for its opinion that the funds originated with [the son], particularly since the transfers were made from joint accounts." ID at 7.

I have reviewed the case file and concur with the ALJ's findings of fact and the conclusion that Camden County properly denied the first application and assessed a penalty on the second application. As such, I incorporate those findings and conclusions by reference.

THEREFORE, it is on this <sup>24<sup>th</sup></sup> day of MAY 2019

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services