

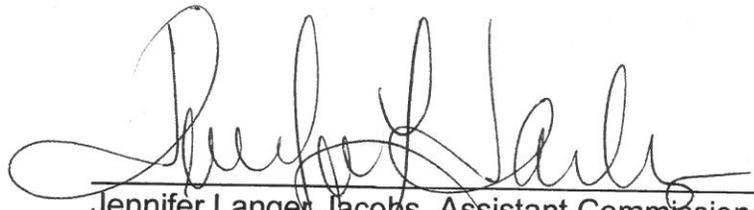
the transfer of resources. Petitioner was found otherwise eligible effective February 1, 2018 but a twenty-five day penalty for the transfer of \$10,600 resulted in an effective date of February 26, 2018. Medicaid Communication 10-07 deals with the Post Eligibility Treatment of Income for Pre-Eligibility Medical Expenses and states that "medical expenses incurred during a transfer penalty are not allowed, regardless of when they were incurred. In addition, any amount of Medicaid expenses for dates of services prior to retroactive period will be disallowed." Moreover, N.J.A.C. 10:71-5.7(k) provides that no medical and or remedial care expenses incurred during or as the result of the imposition of a transfer of assets penalty period shall be allowed.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Initial Decision.

THEREFORE, it is on this  day of DECEMBER 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED.


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