



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

F.S.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

HUNTERDON COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 12331-2019

As Assistant Commissioner 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. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 20, 2020 in accordance with an Order of Extension.

An application was filed on Petitioner's behalf in April 2019 by Faigy Eisemann of Elder Guide as her Designated Authorized Representative (DAR). No resources were

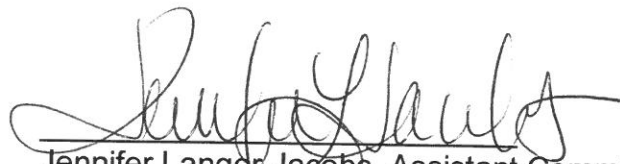
disclosed on the application. Hunterdon County requested information about stock and life insurance owned by Petitioner. That stock was worth \$2,421. In July 2019, the stock was liquidated and Petitioner was found eligible as of August 1, 2019.¹

The Initial Decision upholds the eligibility date set by Hunterdon County and I agree. Petitioner's stock is an available resource under N.J.A.C. 10:71-4.6. The value of the stock alone exceeded the \$2,000 resource limit. Until the stock was spent down, Petitioner was not eligible for benefits.

THEREFORE, it is on this *JA* day of FEBRUARY 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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

¹ The Initial Decision states that the Medically Needy program covers nursing home services. As of December 1, 2014, New Jersey ceased covering nursing home services under the Medically Needy program and those applicants, who needed institutional level of care in a nursing facility, an AL facility or home and had income in excess of \$2,163 (currently \$2,199) were required to place the excess income in a Qualified Income Trust (QIT), also known as a Miller Trust, to obtain Medicaid benefits. See 42 U.S.C. § 1396p(d)(4)(B).