

Based upon my review of the record, I hereby ADOPT the Initial Decision of the Administrative Law Judge (ALJ). The Division is statutorily authorized to seek reimbursement of Medicaid overpayments. Indeed, recovery in this matter is based upon N.J.S.A. 30:4D-7.i., which mandates the Division:

*To take all necessary action to recover the cost of benefits
incorrectly provided to . . . a recipient . . .*

The undisputed facts in this case indicate that Petitioner was ineligible for Medicaid for the months of September, October and November 2019 due to excess resources. As a result, I agree with the ALJ that Mercer County appropriately sought reimbursement of Medicaid payments made during the period of ineligibility but that the amount should be reduced to \$11,178.27 to reflect only those months listed above.

THEREFORE, it is on this 24th day of SEPTEMBER 2021,

ORDERED:

That Petitioner reimburse the Sussex County Board of Social Services for incorrectly paid benefits in the amount of \$11, 178.27 pursuant to a reasonable payment plan.



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