

State of New Jersey Department of Human Services Division of Medical Assistance and Health Services P.O. BOX 712 TRENTON NJ 08625-0712

PHILIP D. MURPHY Governor

> Sheila Y. Oliver Lt. Governor

Carole Johnson Acting Commissioner

> Meghan Davey Director

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

E.M.,

PETITIONER,

v.

UNION COUNTY BOARD OF SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION FINAL AGENCY DECISION

OAL DKT. NO. HMA 08357-20

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is May 7, 2021 in accordance with <u>N.J.S.A.</u> 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 March 25, 2021.

This matter arises from the Union County Board of Social Services' (UCBSS) imposition of a transfer penalty. However, at the scheduled March 2, 2021 hearing, the

parties entered a settlement on the record whereby UCBSS will provide a list of the specific transactions that comprise the penalty and Petitioner shall have the opportunity to rebut those transactions.

The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

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

THEREFORE, it is on this ^{4TH}day of MAY . 2021,

ORDERED:

That the Initial Decision affirming the terms of the Settlement in this matter is hereby ADOPTED.

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