



the business manager at the nursing home. Union County sought information regarding Petitioner's finances including transfers and statements and ownership information from two bank accounts. R-3. When this was not provided, the application was denied on November 16, 2020 specifically due to the failure to provide statements from two Oriental Bank accounts and ownership information. R-4. This appeals followed.

By way of background, when an individual is seeking benefits which require meeting an institutional level of care, any transfers of resources are scrutinized. N.J.A.C. 10:71-4.10. Under the regulations, "[i]f an individual . . . (including any person acting with power of attorney or as a guardian for such individual) has sold, given away, or otherwise transferred any assets (including any interest in an asset or future rights to an asset) within the look-back period" a transfer penalty of ineligibility is assessed. N.J.A.C. 10:71-4.10 (c). Individuals who transfer or dispose of resources for less than fair market value during or after the start of the sixty-month lookback period before the individual becomes institutionalized or applies for Medicaid as an institutionalized individual, are penalized for making the transfer. 42 U.S.C.A. § 1396p(c)(1); N.J.A.C. 10:71-4.10(m)(1).

The Initial Decision determined that Petitioner failed to provide Union County with verifications need to determine Medicaid eligibility and I concur. Petitioner claimed that the information could only be received by appearing in person to Oriental Bank which is located in Puerto Rico. ID at 4. There are some statements from Oriental Bank but not for the requested time period. P-1.<sup>1</sup> There is no evidence that Petitioner took any steps to acquire the information contained in the June 2020 request. P-1.

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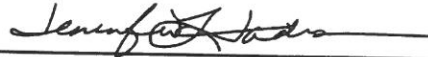
<sup>1</sup> The OAL file contains an unmarked set of documents that pre-date this application. They were not moved into evidence and are not germane to the issue of providing the documents requested from the December 2019 application.

Thus for the reasons set forth above, I FIND that Union County properly denied the application.

THEREFORE, it is on this 30th day of NOVEMBER 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED



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