

specific months where the singular account that Petitioner used exceeded \$4,000. That account was owned by Petitioner and G.H., her son's mother-in-law. P-2. Her son, H.R., was also an owner on the account during some of this time period and made deposits to the account.¹ ID at 4.

The record shows that Petitioner and G.H. resided together until G.H.'s death. The share expenses and G.H. held Petitioner's Power of Attorney. Petitioner claimed she was unaware of G.H.'s actions related to setting up the other accounts in her name. ID at 8. Those accounts had monthly balances of over \$100,000 for a year. R-5. However, Petitioner was aware of the Wells Fargo account that received her Social Security and was also titled in the name of her son. For example, there was a check from a title agency in October 2014 in the amount of \$19,690.56. That check was payable to both Petitioner and G.H. and endorsed by both. The balance on this account ranged up to a high \$42,946.15 and only met the \$4,000 limit for a few months during this time period. It is this account that Essex County used to determine the period of incorrectly paid benefits.

Essex County agreed to remove the accounts set up without Petitioner's knowledge from the overpayment amount. However, the Initial Decision agreed that the Wells Fargo account receiving her Social Security was known to Petitioner should be used to determine the incorrectly paid benefits. That account had excess resources for the months of July 2014, September 2014 through February 2016, May 2016 through June 2016 and August 2016 through May 2017. ID at 7.

Pursuant to N.J.S.A. 30:4D-7.i, the Commissioner of Human Services is "to take all necessary action to recover the cost of benefits incorrectly provided to" a Medicaid recipient. The record demonstrates that Petitioner's accounts for the 18 months listed above. While Petitioner claim that G.H. mishandled her funds related to a reverse mortgage, even when

¹ It is unclear if H.R., the son on the account, was related to G.H. It was relayed to the police that G.H. and Petitioner were related by marriage. P-1.

the amount of the reverse mortgage is deducted from the account (\$42,946.15 - \$38,258.50), the account held \$4,687.65 which exceeded the resource standard.

Thus for the reasons set forth above and those contained in the initial Decision, I FIND that the revised overpayment determination should be affirmed and ADOPT the Initial Decision.

THEREFORE, it is on this 7th day of JUNE 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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



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

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

June 15, 2021

Laurencia Raymond
96 Beech Street
East Orange, NJ 07018

Re: FINAL AGENCY DECISION

Laurencia Raymond

OAL Dkt No. HMA 13149-2019

Dear Sir or Madam

Enclosed is the Final Agency Decision rendered in the above captioned matter.

If you are dissatisfied with the decision, you have the right to seek judicial review by the Appellate Division, Superior Court of New Jersey, Richard J. Hughes Complex, P.O. Box 006, Trenton, New Jersey 08625. A request for judicial review must be initiated within 45 days from the date of receipt of the decision. If you have any questions concerning an appeal to the Appellate Division, you should call (609) 815-2950.

Very truly yours,

A handwritten signature in black ink, appearing to read "Meredith Van Pelt".

Meredith Van Pelt, Esq.

Office of Legal & Regulatory Liason
DMAHS

MVP:GO
Enclosure

C: County-Essex - Mario Greco



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

PO Box 712

TRENTON, NJ 08625-0712

PHILIP D. MURPHY
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SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

L.R.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 13149-2019
	:	
AND HEALTH SERVICES AND	:	
	:	
ESSEX COUNTY DIVISION	:	
	:	
OF SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is June 7, 2021 in accordance with an Order of Extension.

This matter arises regarding the recovery of \$13,566.90 based on benefits paid to Petitioner for sporadic months between July 201 and May 2017 due to excess income. Originally Essex County had sought \$84,484.55 but reduced the amount by targeting the

specific months where the singular account that Petitioner used exceeded \$4,000. That account was owned by Petitioner and G.H., her son's mother-in-law. P-2. Her son, H.R., was also an owner on the account during some of this time period and made deposits to the account.¹ ID at 4.

The record shows that Petitioner and G.H. resided together until G.H.'s death. The share expenses and G.H. held Petitioner's Power of Attorney. Petitioner claimed she was unaware of G.H.'s actions related to setting up the other accounts in her name. ID at 8. Those accounts had monthly balances of over \$100,000 for a year. R-5. However, Petitioner was aware of the Wells Fargo account that received her Social Security and was also titled in the name of her son. For example, there was a check from a title agency in October 2014 in the amount of \$19,690.56. That check was payable to both Petitioner and G.H. and endorsed by both. The balance on this account ranged up to a high \$42,946.15 and only met the \$4,000 limit for a few months during this time period. It is this account that Essex County used to determine the period of incorrectly paid benefits.

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THEREFORE, it is on this 7th day of JUNE 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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