



Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. This appeal stems from the Morris County Board of Social Services' (MCBSS) notice of denial issued to Petitioner for failing to provide documentation needed to complete an eligibility determination. The fact-finder's assessment of the credibility of witnesses is entitled to deference by the reviewing agency head. Clowes v. Terminix, 109 N.J. 575 (1988). At the hearing, Petitioner's husband testified that his father passed away in Portugal in 2011, and that his sister, who lives in Portugal, was responsible for dividing their father's estate among his three children. Years after his father's passing, Petitioner sought his share of his father's estate. In response, his sister wired him \$26,852.60. Petitioner's testimony is consistent with the one time deposit of \$26,852.60 and foreign wire transfer fee.

Thus, based on the unique facts and circumstances of this case, I FIND that MCBSS should process Petitioner's application to determine if she is eligible for Medicaid benefits. This Final Agency Decision should not be construed as making any findings regarding Petitioner's eligibility.

THEREFORE, it is on this <sup>25th</sup> day of OCTOBER 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That this matter is RETURNED to the MCBSS to determine Petitioner's eligibility in accordance with this Final Agency Decision.



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