

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER

Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
TRENTON, NJ 08625-0712

CAROLE JOHNSON

Commissioner

JENNIFER LANGER JACOBS

Director

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

M.F.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

MONMOUTH COUNTY DIVISION

OF SOCIAL SERVICES

V.

OAL DKT. NO. HMA 08493-20

RESPONDENTS.

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the contents of the OAL case file. Neither party filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is January 25, 2021 in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject or modify the Initial Decision within 45 days of the agency's receipt. The Initial Decision was received on December 11, 2020.

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety.

This matter arises from the Monmouth County Board of Social Services' (MCBSS) August

10, 2020 determination that Petitioner was ineligible for Medicaid benefits as a result of her

resources exceeding the qualification limitation.

Based upon my review of the record, I hereby ADOPT the Administrative Law Judge's

recommended decision because it is in accordance with the Medicaid regulations governing

resource eligibility. N.J.A.C. 10:71-4.5(c) states that participation in the Medicaid Only

program will be denied if the resources of an individual exceed \$2000. Moreover, resource

eligibility is determined as of the first moment of the first day of the month. 20 C.F.R.

§416.1207(a) and N.J.A.C. 10:71-4.1(e). The undisputed evidence in the record indicates

that Petitioner failed to provide the verifications needed to establish that her resources were

within the prescribed limits. Moreover, the record indicates that Petitioner did not cash out a

\$3,468 life insurance policy until August 27, 2020, more than a month after MCBSS issued

its denial letter. As a result, Petitioner's resources exceeded the \$2,000 limit and her

application was denied.

The eligibility procedure is clearly set forth in the regulations and there is simply no

provision which permits a relaxation of the eligibility date so long as the countable resources

exceed the maximum limit.

THEREFORE, it is on this 9th day of January 2021.

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs, Assitant Commissioner Division of Medical Assistance

And Health Services.