


September 30, 2019. R-3. Each of those requests advised that Petitioner's assets had to be below \$2,000 in order to be found eligible. This was not done until April 2020.

The Initial Decision upholds the eligibility date and I concur. The \$2,000 limit is a bright line test as of the first moment of the first day of the month. N.J.A.C. 10:71-4.5. At the time of application, Petitioner had over \$30,000 in her bank account. While those funds were spent down, the balance hovered just over \$2,000 for five months. ID at 3. Petitioner's contention through counsel that her health insurance premium should somehow reduce her resources is unsupported. While checks drawn but not yet cleared can reduce the balance, nothing in this case suggests checks written in the prior month reduced Petitioner's balance below \$2,000. Rather Petitioner paid the health insurance during the course of the month and more than \$2,000 remained in her bank account as of the first of the month. Nothing in the record shows that Petitioner met the \$2,000 resource standard. Therefore I DOPT the Initial Decision and uphold the denial.

THEREFORE, it is on this 1st day of JULY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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