

State of New Jersey

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

N.F.,

PETITIONER.

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DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND:

MORRIS COUNTY BOARD OF:

SOCIAL SERVICES,:

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 10602-2020

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is July 12, 2021 in accordance with an Order of Extension.

The matter arises regarding the determination that Petitioner was eligible as of April 1, 2020. She had applied for Medicaid benefits in September 2019 with the assistance of the business manager of the nursing home where she resides. Morris County issued three requests for verifications of Petitioner's assets beginning on

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 in 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

and uphold the denial.

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

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs, Assistant Commissioner

Division of Medical Assistance

and Health Services