

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 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

R.R.

PETITIONER,

v.

MIDDLESEX COUNTY BOARD OF SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION FINAL AGENCY DECISION OAL DKT. NO. HMA 05418-20

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 August 16, 2021 in accordance with an Order of Extension. The Initial Decision was received on May 17, 2021.

This matter arises from the Middlesex County Board of Social Services' (MCBSS) Febraury 21, 2020. 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. <u>N.J.A.C.</u> 10:71-4.5(c) states that participation in

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor 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 <u>C.F.R.</u> §416.1207(a) and <u>N.J.A.C.</u> 10:71-4.1(e). The undisputed evidence in the record indicates that Petitioner had countable resources in excess of the \$2000 limit through February 2020. As a result, Petitioner was ineligible for benefits during February. 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 10TH day of AUGUST 2021.

ORDERED:

That the Initial Decision is hereby ADOPTED.

and that

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