

Services (OCBSS) appropriately sought recoupment of Medicaid overpayments from Petitioner for the period at issue.

Petitioner began receiving Medicaid benefits in or about July 2014. ID at 2. On Petitioner's February 2019 redetermination of benefits application, Petitioner stated that he was unemployed and receiving no income. R-4. However, on Petitioner's December 2019 redetermination of benefits application, Petitioner reported that he was employed. Ibid. OCBSS then discovered that Petitioner had received income between March 2019 and December 2019 from three separate employers.¹ R-5. Petitioner's income was \$2,223 for the month of March 2019, \$3,211 for the months of April, May, and June 2019, \$3,632 for the months of July, August, and September 2019, \$2,356.35 for October 2019, \$4,383.30 for the month of November 2019, and \$3,413.35 for the month of December 2019.² R-2. The maximum monthly income limit for eligibility in 2019 was \$1,437. See Medicaid Communication No. 19-03. Petitioner's income from March 1, 2019 through December 31, 2019, thus, exceeded the maximum monthly income level for all of the months at issue.

Pursuant to N.J.S.A. 30:4D-7i, the Commissioner of the Department of Human Services is "to take all necessary action to recover the cost of benefits incorrectly provided to a [Medicaid] recipient." Moreover, "the [County Welfare Agency] shall determine the period(s) of ineligibility and ascertain from [the Division of Medical Assistance and Health Services] the amount of medical assistance incorrectly granted." N.J.A.C. 10:49-14.4(b)1. While Petitioner argues that he mailed a letter to OCBSS advising it of his employment in March 2019, Petitioner failed to produce any documentary evidence to show that such a letter was sent to OCBSS or that said

¹ Petitioner was employed by one employer between March 2019 and July 2019, another employer between July 2019 and September 2019, and a third employer between July 2019 and December 2019. R-2.

² Petitioner's earned income was \$2,356.35 for the month of December 2019. However, he additionally received unemployment insurance benefits of \$1,057. R-2.

letter was actually received by OCBSS. As Petitioner's income between March 1, 2019 through December 31, 2019 exceeded the income limit to qualify for benefits, OCBSS's determination regarding the overpayment of premiums for this period, which totaled \$5,222.52, is appropriate, pursuant to N.J.S.A. 30:4D-7i and N.J.A.C. 10:49-14.4(b)1. I, thus, FIND that the overpayment determination should be affirmed.

THEREFORE, it is on this 24th day of September 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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