



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SARAH ADELMAN
Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

V.S.,

PETITIONER,

ADMINISTRATIVE ACTION

v.

FINAL AGENCY DECISION

DIVISION OF MEDICAL ASSISTANCE

OAL DKT. NO. HMA 10467-2020

AND HEALTH SERVICES AND

CAMDEN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

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 August 16, 2021 in accordance with an Order of Extension.

The matter arises regarding the October 1, 2020 eligibility date based on Petitioner's June 2020 application for Medicaid benefits. That was the first month Petitioner's resources fell below \$2,000. In processing her application, Camden

County requested information regarding the face value and cash surrender value of a life insurance policy listed on the application. Petitioner's daughter responded in August that she was setting up an irrevocable burial trust with a term and whole life policy. R-1 at 28-29. In September 2020, Petitioner's two policies were surrendered for \$5,315.19 and \$8,833.04 and the funds placed in an irrevocable burial trust. ID at 3. Camden County found Petitioner eligible as of October 1, 2020.

The Initial Decision upheld the October 1, 2021 date and I concur. Petitioner's life insurance policies totaled over \$14,000. Until those funds were spent down by placing them into an irrevocable burial trust, Petitioner was not eligible for benefits due to excess resources.

THEREFORE, it is on this 6th day of AUGUST 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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