

N.J.S.A. 30:4D-7.i., which mandates the Division:

To take all necessary action to recover the cost of benefits incorrectly provided to . . . a recipient . . . No recovery action shall be initiated more than five years after an incorrect payment has been made to a recipient when the incorrect payment was due solely to an error on the part of the State or any agency, agent or subdivision thereof;

The undisputed facts in this case indicate that Petitioner owned a 401K with a balance of \$19,000-\$22,000 and jointly held three bank accounts with her daughter with balances exceeding the Medicaid eligibility resource limit. These accounts were not disclosed to the BCBSS on Petitioner's application or anytime thereafter, including subsequent re-certifications. Rather, BCBSS discovered the undisclosed accounts through an asset verification search performed during redetermination. As a result, I agree with the ALJ that BCBSS appropriately sought reimbursement of Medicaid payments made during the period of ineligibility.

THEREFORE, it is on this 11th day of JANUARY 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That Petitioner reimburse BCBSS for incorrectly paid benefits in the amount of \$22,992.45 pursuant to a reasonable repayment plan.



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