



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

JENNIFER VELEZ
Commissioner

VALERIE HARR
Director

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

L.L.,	:	
	:	
PETITIONER,	:	
	:	
v.	:	
	:	ADMINISTRATIVE ACTION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	FINAL AGENCY DECISION
	:	
AND HEALTH SERVICES AND	:	OAL DKT. NO. HMA 09906-14
	:	
ATLANTIC COUNTY BOARD OF	:	
	:	
SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

As Director of the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is January 5, 2015 in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt,

reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on November 20, 2014.

Based upon my review of the record, I hereby ADOPT the Initial Decision of the Administrative Law Judge (ALJ). The Division is statutorily authorized to seek reimbursement of Medicaid overpayments. Indeed, recovery in this matter is based upon N.J.S.A. 30:4D-7.i., which mandates the Division:

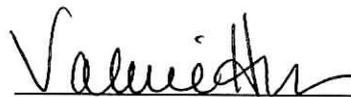
To take all necessary action to recover the cost of benefits incorrectly provided to . . . a recipient . . .

The undisputed facts in this case indicate that Petitioner was ineligible for Medicaid from July 1, 2009 through September 30, 2013 due to excess resources resulting from an unreported annuity. As a result, I agree with the ALJ that DMAHS appropriately sought reimbursement for Medicaid payments made during the period of ineligibility.

THEREFORE, it is on this *22nd* day of December 2014,

ORDERED:

That Petitioner reimburse DMAHS for incorrectly paid benefits in the amount of \$13,174.39 pursuant to a reasonable repayment plan.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services