

State of New Jersey

CHRIS CHRISTIE

Governor

KIM GUADAGNO Lt. Governor DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
TRENTON, NJ 08625-0712

JENNIFER VELEZ Commissioner

VALERIE HARR Director

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

R.P.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

٧.

OAL DKT. NO. HMA 03151-2014

DIVISION OF MEDICAL ASSISTANCE

:

AND HEALTH SERVICES AND

•

ATLANTIC COUNTY BOARD OF

:

SOCIAL SERVICES,

:

RESPONDENTS.

As Director of 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 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 in this matter is August 21, 2014 in accordance with an Order of Extension.

At issue is a twelve-month and twelve-day penalty imposed due to Petitioner's transfers totaling \$96,420.38. Petitioner bears the burden of proof to demonstrate that he received fair market value for the assets transferred.

N.J.A.C.10:71-4.10(j). Here, Petitioner was unable to rebut the presumption that the transfers were for less than fair market value. Accordingly, the ALJ found that the Atlantic County Board of Social Services properly considered the \$96,420.38 transfer of assets and affirmed the transfer penalty.

After reviewing the record, I concur with the ALJ's finding and ADOPT the Initial Decision in its entirety.

THEREFORE, it is on this 15th day of July, 2014,

ORDERED:

That the Initial Decision affirming the transfer penalty is hereby ADOPTED as the Final Decision in this matter.

Valerie J. Harr, Director

Division of Medical Assistance

and Health Services