

State of New Jersey

CHRIS CHRISTIE

Governor

KIM GUADAGNO Lt. Governor DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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JENNIFER VELEZ

Commissioner

VALERIE HARR Director

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

V.B.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

٧.

OAL DKT. NO. HMA 10897-14

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

CAMDEN 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 December 26, 2014 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 the agency's receipt. The Initial Decision in this case was received on November 10, 2014.

At issue is a one-month and eight day penalty imposed due to Petitioner's transfers totaling \$10,000. Petitioner bears the burden of proof to demonstrate that she received fair market value for the assets transferred. N.J.A.C.10:71-4.10(j). Petitioner offered no corroborating evidence with regard to the nature of the transfers at issue. Petitioner was unable to rebut the presumption that the transfers were for less than fair market value. Accordingly, the ALJ found that the Camden County Board of Social Services properly considered the \$10,000 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 4th day of DECEMBER, 2014,

ORDERED:

That the Initial Decision affirming the transfer penalty is hereby ADOPTED.

Valerie J. Harr, Director Division of Medical Assistan

Division of Medical Assistance and Health Services