



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
P.O. Box 712
Trenton, NJ 08625-0712

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

C.D.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
ESSEX COUNTY BOARD OF
SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 06994-16

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 contents of the OAL case file. No exceptions to
the Initial Decision were filed. Procedurally, the time period for the Agency Head
to render a Final Agency Decision in this matter is July 22, 2016, 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 matter was received on June 7, 2016.

Based upon my review of the record, I hereby adopt the findings and conclusions of the Administrative Law Judge in their entirety and I incorporate the same herein by reference. I accept the ALJ's fact-findings, which are based, in part, upon his assessment of the witnesses who testified at the administrative hearing. The fact-finder's assessment of the credibility of witnesses is entitled to deference by the reviewing agency head. Clowes v. Terminix, 109 N.J. 575 (1988). I agree that Petitioner and her husband continue to reside together and that their household consists of two individuals. Accordingly, the income standard for the New Jersey Care . . . Special Medicaid (New Jersey Care) program is \$1,335 per month for a couple. Consequently, Petitioner's countable monthly income of \$1,888.90 exceeds the \$1,335 income limit for the New Jersey Care program.

THEREFORE, it is on this 19<sup>th</sup> day of JULY 2016,

ORDERED:

That the recommended decision affirming the denial of Medicaid eligibility is hereby ADOPTED.



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Meghan Davey, Director  
Division of Medical Assistance  
and Health Services