



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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

M.L.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 00570-16
	:	
AND HEALTH SERVICES AND	:	
	:	
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 case, including the OAL case file, the documents in evidence and the Initial Decision in this matter. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is July 8, 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 receipt. The Initial Decision in this matter was received on May 24, 2016.

The Atlantic County Board of Social Services found Petitioner eligible for benefits as of November 1, 2015 but imposed a 267 day penalty through July 24, 2016 based upon a transfer of assets for less than fair market value. Specifically, Petitioner had a life estate interest in a property that she transferred to her deceased husband's two sons for no consideration. Petitioner's life estate was valued at \$88,653.30, which resulted in a 267 transfer penalty.

The ALJ found that Atlantic County had properly calculated the value of the life estate and resulting transfer penalty. After reviewing the record, I concur with the ALJ's findings in the Initial Decision and hereby ADOPT them in their entirety.

THEREFORE, it is on this *29th* day of June 2016,

ORDERED:

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



Meghan Davey, Director
Division of Medical Assistance
and Health Services