



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

M.S.,
PETITIONER,
v.
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
UNION COUNTY BOARD OF
SOCIAL SERVICES,
RESPONDENTS.
ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 2783-2016

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is June 6, 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 April 21, 2016.


The matter arises regarding the denial of Petitioner's Medicaid application due to excess income. Petitioner applied for Medicaid benefits for her son. Her household consists of herself, her husband, their daughter and son. Only the son is a United States citizen. The household's income is \$3,584 from the husband's employment in Moscow, Russia. Petitioner contends her husband lives in Russia and his income should not be part of the household.

The Initial Decision upheld the denial of benefits, finding that Petitioner's husband was a resident of New Jersey, who was employed in another country, and that his income was properly included in the eligibility determination. There is no other income reported. In 2015 he signed the lease for the family's apartment in Cranford and used the same address on his son's 2015 birth certificate. He returns to his family each month for up to 10 days as work permits. I concur with the Initial Decision that for Medicaid purposes the Petitioner's husband is a resident of New Jersey and his income was properly included in the household.

THEREFORE, it is on this <sup>1<sup>st</sup></sup> day of JUNE 2016,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
\_\_\_\_\_  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services