



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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

T.O.,
PETITIONER,
v.
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
CAMDEN COUNTY BOARD
OF SOCIAL SERVICES,
RESPONDENTS.
ADMINISTRATIVE ACTION
FINAL AGENCY DECISION
OAL DKT. NO. HMA 13624-15

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 render a Final Agency Decision is September 15, 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 was received on August 1, 2016.


At issue is the penalty imposed due to Petitioner's transfers totaling \$13,000 to family members. The ALJ found that Camden County had properly imposed a 41-day period of ineligibility for the transfers¹.

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 ^{24th} day of August 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

¹ The ALJ incorrectly states in her Conclusion on page 6 of the Initial Decision that the period of ineligibility is 41 months (rather than 41 days) and then mistakenly affirms a transfer penalty of 2 months and 2 days. It is clear that this was a mistake. The ALJ's Statement of the Case on page 2 of the Initial Decision correctly states that the County imposed a penalty of 41 days. Moreover, the County's penalty calculation form provides a detailed explanation of how it arrived at the 41-day penalty period for the \$13,000 transfers.