



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

B.G.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
BERGEN COUNTY BOARD OF
SOCIAL SERVICES,
RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 00864-17

As Director of the Division of Medical Assistance and Health Services, I
have reviewed the record in this case, including the OAL case file and the Initial
Decision approving the Settlement Agreement reached by the parties.
Procedurally, the time period for the Agency Head to file a Final Agency Decision
is May 5, 2017 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 was received on March 21, 2017.

This appeal stems from the calculation of the monthly spousal allowance. However, at the scheduled OAL hearing, the parties entered into a Settlement Agreement in which Petitioner's spouse acknowledged that her social security income is considered in the spousal allowance calculation and Bergen County agreed to recalculate the allowance based upon additional documentation provided by Petitioner's spouse.

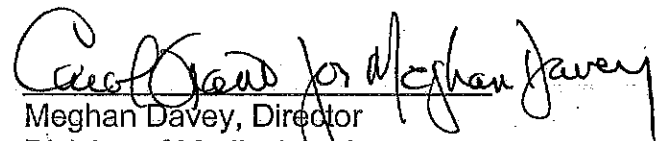
The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

Based upon my review of the record, I agree with the ALJ's conclusions and ADOPT the Settlement Agreement as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this ^{24th} day of April 2017,

ORDERED:

That the Initial Decision approving the Settlement Agreement in this matter is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services