



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

E.C.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 9034-2017
	:	
AND HEALTH SERVICES AND	:	
	:	
ESSEX COUNTY BOARD OF	:	
	:	
SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

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. Procedurally, the time period for the Agency Head to file a Final Agency Decision is September 11, 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 in this matter was received on July 26, 2017.

The matter arises regarding the termination of Petitioner's benefits due to excess resources. Petitioner had been found eligible in 2014. Her husband continued to live in the marital home in the community. Petitioner's name remained on the deed to the house. In September 2016, Petitioner's husband finally filed a deed purportedly signed in August 2014 that removed Petitioner's name from the property. In December 2016, Petitioner's husband sold the property and deposited the funds into his bank account. Essex County terminated Petitioner's benefits effective January 1, 2017.

The Initial Decision found that Petitioner did not have a right to her husband's assets post-eligibility. That is correct, although Petitioner's name should have been long removed from property and the deed filed contemporaneously to the Medicaid determination. Based on my review of the record, I concur with the Initial Decision and ADOPT it in its entirety.

THEREFORE, it is on this ^{7th} day of SEPTEMBER 2017,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services