



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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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

J.B.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

ATLANTIC COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 3776-2017

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file, the documents in evidence and the Settlement Decision in this matter. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is November 24, 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 October 9, 2017.

This matter concerns the overpayment of Medicaid benefits due to Petitioner's income exceeding the Medicaid limit from February 2012 through January 2017. Medicaid paid benefits on her behalf from during this time period. The Settlement Agreement states that Petitioner shall repay \$10 a month on an overpayment of \$42,035.02 in benefits. At that rate, the Medicaid overpayment will be satisfied in 350 years.

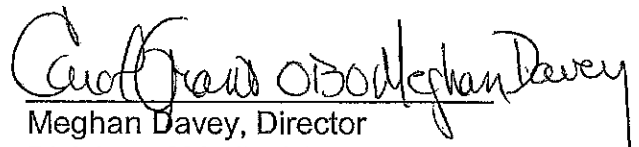
While I understand that this amount may truly reflect what Petitioner is able to pay, the State of New Jersey's interests are not protected by the terms of the settlement nor does this realistically dispose of the issue of the overpayment. Thus, I hereby REJECT the Settlement Agreement and REMAND the matter to the OAL for further proceedings.

THEREFORE, it is on this 20<sup>th</sup> day of NOVEMBER 2017,

ORDERED:

That the Settlement Agreement is hereby REJECTED; and

That the matter is REMANDED to OAL.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services