



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**

K.S.,

RETITIONER,

ADMINISTRATIVE ACTION

v.

FINAL AGENCY DECISION

DIVISION OF MEDICAL ASSISTANCE

OAL DKT. NO. HMA 14539-16

AND HEALTH SERVICES AND

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision and the documents in evidence. Respondent filed exceptions. Procedurally, the time period for the Agency Head to file a Final Agency Decision in this matter is October 23, 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 September 7, 2017.

Based upon my review of the record, I hereby adopt the findings and conclusions of the Administrative Law Judge in their entirety and I incorporate the same herein by reference. This matter concerns the May 16, 2016 denial and the October 4, 2016 amended denial of Petitioner's application due to the failure to provide financial verifications and because Petitioner's resources exceeded the resource limit of \$2,000. The credible evidence in the record demonstrates that Petitioner failed to provide the needed information prior to the denial of benefits. Without this information, the Division of Medical Assistance and Health Services (DMAHS), Institutional Services Section (ISS) was unable to complete its eligibility determination and the denial was appropriate. Furthermore, the documents provided by Petitioner show that her resources exceeded the \$2,000 limit. Specifically, Petitioner's life insurance policy had a cash value of \$2,235.70 on May 4, 2015 and the \$22,333.92 in Petitioner's trust account is an available resource because it does not comply with the Federal and State regulations to be considered an excluded resource.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Initial Decision.

THEREFORE, it is on this ^{20th} day of OCTOBER 2017,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services