



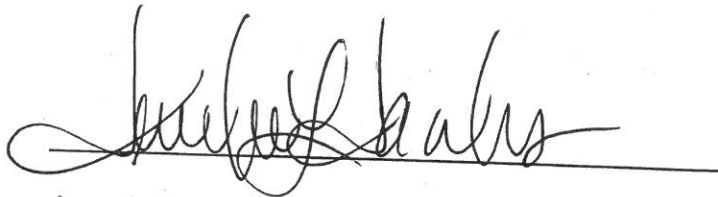
2019 determination that Petitioner was eligible for Medicaid benefits effective September 1, 2019.

Petitioner is seeking to have the eligibility standard disregarded due to the delay in processing her application. However, absent compliance with the standards set forth in the federal and state Medicaid law, eligibility cannot exist. Indeed, participation in the Medicaid program will be denied if the resources of an individual exceed \$2000 as of the first moment of the first day of the month. N.J.A.C. 10:71-4.1(e) and N.J.A.C. 10:71-4.5(c). Additionally, any resource that is not specifically excluded by regulation "shall be considered a countable resource for the purpose of determining Medicaid Only eligibility." N.J.A.C. 10:71-4.2(a). The undisputed evidence in the record indicates that Petitioner's resources exceeded the \$2000 limit until the cash proceeds from her life insurance policy were used to prepay Petitioner's funeral expenses. As a result, Petitioner was not eligible for Medicaid benefits until September 1, 2019, which is the first day of the first month in which her countable resources fell below \$2,000. There is simply no provision in the regulations which would permit a relaxation of the eligibility date so long as the countable resources exceed the maximum limit.

THEREFORE, it is on this <sup>31<sup>st</sup></sup> day of MAY 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assitant Commissioner  
Division of Medical Assistance  
And Health Services.