

The issue presented here is whether the Petitioner is responsible for a Medicaid overpayment due to being found ineligible as a result of travel outside of the State of New Jersey. Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. Medicaid beneficiaries that "leave New Jersey with the intent to establish a permanent residence elsewhere, or for an indefinite period for purposes other than a temporary visit, or if he or she decides to remain indefinitely in the place outside New Jersey to which he or she had gone for a temporary visit, he or she ceases to be eligible to receive Medicaid." N.J.A.C. 10:71-3.7(b). The credible evidence in the record shows that Petitioner left New Jersey with the intention of returning within thirty days and was only prevented from doing so due to a medical emergency. While Petitioner should have notified the county of her extended absence from the state, she did return as soon as she was medically able to do so. Therefore, I FIND that based on the unique facts and circumstances presented here, Petitioner is not responsible for the assessed Medicaid overpayment.

THEREFORE, it is on this 3rd day of MAY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services