STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

H.B.,	:
	:
	:
PETITIONER,	: **ADMINISTRATIVE ACTION**
	:
	: **FINAL AGENCY DECISION**
v.	:
	: **OAL DKT. NO. HMA 04709-14**
	:
DIVISION OF MEDICAL ASSISTANCE	:
	:
AND HEALTH SERVICES &	:
	:
ATLANTIC 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 OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Decision is August 11, 2014, 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 June 25, 2014.

This matter arises from the Atlantic County Board of Social Services' (ACBSS) imposition of a penalty period due to the transfer of assets in the amount of $45,510. At issue is the amount of assets transferred and the date on which H.B.'s Medicaid eligibility becomes effective. However, at the scheduled May 27, 2014 OAL hearing, the parties entered a settlement on the record whereby the penalty would be reduced by $2,815.05.

The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

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

THEREFORE, it is on this 8th day of August 2014,

ORDERED:

That the Initial Decision affirming the terms of the Settlement in this matter is hereby ADOPTED.

Valerie Harr, Director
Division of Medical Assistance
and Health Services