

State of New Jersey Department of Human Services Division of Medical Assistance and Health Services PO Box 712 Trenton, NJ 08625-0712

JENNIFER VELEZ Commissioner

VALERIE HARR Director

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

J.V.,	:
PETITIONER,	
ν.	ADMINISTRATIVE ACTION
DIVISION OF MEDICAL ASSISTANCE	FINAL AGENCY DECISION
AND HEALTH SERVICES AND	: OAL DKT. NO. HMA 03156-14
BERGEN COUNTY BOARD OF	:
SOCIAL SERVICES,	
RESPONDENTS.	:

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is December 1, 2014 in accordance with <u>N.J.S.A.</u> 52:14B-10, which requires an Agency Head to adopt, reject, or

CHRIS CHRISTIE Governor

KIM GUADAGNO Lt. Governor modify the Initial Decision within 45 days of receipt. The Initial Decision was received on October 15, 2014.

Based upon my review of the record, I hereby ADOPT the Initial Decision of the Administrative Law Judge (ALJ). The Division is statutorily authorized to seek reimbursement of Medicaid overpayments. Indeed, recovery in this matter is based upon N.J.S.A. 30:4D-7.i., which mandates the Division:

To take all necessary action to recover the cost of benefits incorrectly provided to ... a recipient ...

The undisputed facts in this case indicate that Petitioner was ineligible for Medicaid from October 1, 2011 through July 11, 2014 due to excess resources in an unreported bank account. As a result, I agree with the ALJ that Bergen County appropriately sought reimbursement for Medicaid payments made during the period of ineligibility.

THEREFORE, it is on this  $\partial q^{*} day$  of November 2014,

ORDERED:

That Petitioner reimburse the Bergen County Board of Social Services for incorrectly paid benefits in the amount of \$31,936.91 pursuant to a reasonable repayment plan.

Valerie J. Harr, Director Division of Medical Assistance and Health Services