

DOROTHY KALER

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Submitted on Briefs July 21, 2020

Decided August 6, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, and HORTON, JJ.

MEMORANDUM OF DECISION

Dorothy Kaler appeals from a judgment of the Superior Court (Kennebec County, *Murphy, J.*) affirming the Department of Health and Human Services' denial of her application for MaineCare benefits. Contrary to Kaler's contentions, we discern no error of law or fact in the hearing officer's determination that Kaler possesses the right to repayment of certain loans nor in the Department's conclusion that those repayment rights constitute "available assets" pursuant to the Department's MaineCare eligibility regulations. 10-144 C.M.R. ch. 332, §§ 1-3 (effective Feb. 18, 2015); see *Fryeburg Health Care Ctr. v. Dep't of Human Servs.*, 1999 ME 122, ¶¶ 7, 11-12, 734 A.2d 1141; *Doughty v. Sullivan*, 661 A.2d 1112, 1123-24 (Me. 1995).

The entry is:

Judgment affirmed.

Caleb J. Gannon, Esq., Lipman & Katz, Augusta, for appellant Dorothy Kaler

Aaron M. Frey, Attorney General, and Thomas J. Quinn, Asst. Atty. Gen., Office of the Attorney General, Augusta, for appellee Department of Health and Human Services

Kennebec County Superior Court docket number AP-2018-71
FOR CLERK REFERENCE ONLY