

PHILIP D. MURPHY Governor

State of Rew Jersey
DEPARTMENT OF HUMAN SERVICES

TAHESHA L. WAY Lt. Governor Division of Medical Assistance and Health Services P.O. Box 712 Trenton, NJ 08625-0712 SARAH ADELMAN Commissioner

JENNIFER LANGER JACOBS Assistant Commissioner

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

M.R.,

PETITIONER,

ADMINISTRATIVE ACTION

V.

FINAL AGENCY DECISION

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

CAMDEN COUNTY BOARD

OF SOCIAL SERVICES,

RESPONDENTS.

OAL DKT. NO. HMA 08706-2023

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the Office of Administrative Law (OAL) case file, and the documents filed below. Neither Party filed exceptions. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 12, 2024 in accordance with an Order of Extension.

This matter arises from the Camden County Board of Social Services' (Board) termination of Petitioner's Medicaid benefits as a result of being over the income limit to qualify for benefits. Petitioner appealed the determination, and the matter was transmitted to the OAL for a fair hearing. The Initial Decision upheld the termination and found that Petitioner's income exceeds the threshold for 2023 to qualify for Medicaid, pursuant to N.J.A.C. 10:72-4.1. I concur.

Here, Petitioner completed a renewal Medicaid application dated July 24, 2023, in which they disclosed that they receive monthly Social Security payments in the amount of \$1,843 and have a checking account with a balance of \$8,000. (R-1, pages 1-9.) The Board completed an eligibility worksheet to determine Petitioner's countable income. (R-1, page 11.) The Board had determined that Petitioner's total monthly countable income was \$1,823.00 based upon their monthly Social Security income after deducting \$20 because Petitioner does not reside in a nursing facility. (R-1, page 11.) According to DMAHS Income Standards, the income limit for a household of one under the Medicaid program for the aged, blind, and disabled with a gross monthly income that is equal to or less than 100% of the Federal Poverty Level is \$1,215 with a resource limit of \$4,000. (R-1, page 10.) On August 17, 2023, the Board denied Petitioner's renewal Medicaid application. (R-1, page-12.)

During the hearing, the Board's representative testified that they did not evaluate Petitioner's resources because Petitioner was already determined to be ineligible for having excess income. The Board's representative testified that the determination letter incorrectly stated that Petitioner was determined ineligible based on excess resource/assets. It is not clear from the record, why the Board did not correct the determination letter. To avoid any confusion, the Board should have issued a proper determination notice.

At the hearing, Petitioner confirmed that he receives Social Security retirement

payment in the amount of \$1, 843 per month. Because \$1,215 a month is the maximum

allowable income limit for a household of one, this makes Petitioner over the income limit

and therefore ineligible pursuant to N.J.A.C. 10:72-4.1. As explained in the Initial

Decision, earned and unearned income is used in the calculation of Medicaid eligibility

and Petitioner's unearned income exceeds the income standard.

After reviewing the record, I agree that Petitioner's monthly Social Security

retirement payment is over the income limit under the Medicaid program for the aged,

blind, and disabled. Thus, for the reasons set forth above and those contained in the

Initial Decision, I hereby affirm the termination of Petitioner's benefits for being over the

income limit.

THEREFORE, it is on this 12th day of February 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.

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

<sup>&</sup>lt;sup>1</sup> As testified at the hearing, the termination letter incorrectly stated that Petitioner was determined ineligible based on excess resources/assets rather than excess income pursuant to N.J.A.C. 10:72-5.1.