State of New Jersey
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

CHRISTINE TODD WHITMAN
Governor

MICHELE K. GUHL
Commissioner

MARGARET A. MURRAY
Director

MEDICAID COMMUNICATION NO. 99-25 **DATE:** December 15, 1999

TO: County Welfare Agency Directors
ISS Area Supervisors

SUBJECT: January 1, 2000 Income and Resource Standards for Medicaid Only

REFERENCE: Medicaid Only Manual, N.J.A.C. 10:71-4.8, 5.4, 5.5, 5.6, and 5.9

Attached, in Administrative Law format, are the revisions to the Medicaid Only Manual relating to the new eligibility standards and deeming computation amounts. These changes reflect the 2.4 percent federal cost-of-living adjustment to the SSI eligibility standards. In anticipation of their adoption, we are sharing these new figures with you to be used in eligibility determinations effective January 1, 2000. Upon adoption of these revisions, replacement pages of the Manual will be issued.

Also, you will note at N.J.A.C. 10:71-4.8, the resource standards for determining how much of a couple's resources are to be protected for the community spouse have been increased effective January 1, 2000.

Questions should be referred to the Bureau of Eligibility Policy at (609) 588-2556.

Sincerely,

Margaret A. Murray
Director

MAM:G
Attachment
c: Christine Grant, Commissioner
William Conroy, Acting Deputy Commissioner
Department of Health and Senior Services

David C. Heins, Director
Division of Family Development

Charles Venti, Director
Division of Youth and Family Services

Full text of the proposal follows (additions indicated in underline thus; deletions indicated in brackets [thus].

10:71-4.8 Institutional eligibility; resources of a couple

(a) In the determination of resource eligibility for an individual requiring long term care, the county welfare agency shall establish the combined countable resources of a couple as of the first period of continuous institutionalization beginning on or after September 30, 1989. This determination shall be made upon a request for a resource assessment in accordance with N.J.A.C. 10:71-4.9 or at the time of application for Medicaid benefits. The total countable resources of the couple shall include all resources owned by either member of the couple individually or together. The CWA shall establish a share of the resources to be attributed to the community spouse in accordance with this section. (No community spouse's share of resources may be established if the institutionalized individual's current continuous period of institutionalization began at any time before September 30, 1989.)

1. The community spouse's share of the couple's combined countable resources is based on the couple's countable resources as of the first moment of the first day of the month of the current period of institutionalization beginning on or after September 30, 1989 and shall not exceed $[81,960] 84,120.00 unless authorized in (a)4 or 5

below. The community spouse's share of the couple's resources shall be the greater of:

i. $[16, 392] 16,824.00 ; or

ii. One half of the couple's combined countable resources.

2. through 9.(No Change.)

10:71-5.4 Includable income

(a) Any income which is not specifically excluded under the provisions of N.J.A.C. 10:71-5.3 shall be includable in the determination of countable income. Such income shall include, but is not limited to, the following:

1.-11. (No change.)

12. Support and maintenance furnished in-kind (community cases): Support and maintenance encompasses the provision to an individual of his or her needs for food, clothing, and shelter at no cost or reduced value. Persons determined to be "living in the household of another" in accordance with N.J.A.C. 10:71-5.6 shall not be considered

to be receiving in-kind support and maintenance as the income eligibility levels have been reduced in recognition of such receipt. Persons not determined to be "living in the household of another" who receive in-kind support and maintenance shall be considered to have income in the amount of:

$[186.67] 190.67 for an individual

$[270.33] 276.33 for a couple

i. (No change.)

13. (No change.)

(b) (No change)

10:71-5.5 Deeming of income

(a) - (f) (No change.)

(g) A table for deeming computation amounts follows:

TABLE A

Deeming Computation Amounts

1. Living allowance for each ineligible child $[251.00] 257.00

2. Remaining income amount

Head of Household	Receiving support and Maintenance
$[250.00] 256.00	$[167.33] 171.33

3. Spouse to Spouse Deeming - Eligibility Levels

a.	Residential Health Care Facility	$[1,281.36] 1,305.36
b.	Eligible Individual Living Alone with Ineligible Spouse	$[1,026.36] 1,051.36
c.	Living Alone or with Others	$[782.25] 800.25
d.	Living in the Household of Another	$[593.76] 605.76

4. Parental Allowance - Deeming to Children

Remaining Income is:		One Parent	Parent & Spouse of Parent
a.	Earned only	$[1,000.00] 1,024.00	$[1,502.00] 1,538.00
b.	Unearned only	$[500.00] 512.00	$[751.00] 769.00
c.	Both earned and unearned	$[500.00] 512.00	$[751.00] 769.00

10:71-5.6 Income eligibility standards

(a) and (b) (No change.)

(c) Non-institutional living arrangements

1. - 4. (No change.)

5. Table B follows:

TABLE B

Variations in Living Arrangements		Medicaid Eligibility Income Standards			
		Individual		Couple	
I.	Residential Health Care Facility	$[650.05]	662.05	$[1,281.36]	1,305.36
II.	Living Alone or with Others	$[531.25]	543.25	$[776.36]	794.36
III.	Living Alone with Ineligible Spouse	$[776.36]	794.36		
IV.	Living in House-hold of Another	$[377.65]	385.65	$[593.76]	605.76

V. Title XIX Approved Facility: [$1,500] 1,536.00

Includes persons in acute general hospitals, nursing facilities, intermediate care facilities/mental retardation (ICFMR) and licensed special hospitals (Class A, B, C) and Title XIX psychiatric hospitals (for persons under age 21 and age 65 and over) or a combination of such facilities for a full calendar month.

* Gross income (that is, income prior to any income exclusions) is applied to this Medicaid "Cap."

(d) (No change.)

10:71-5.9 Deeming from sponsor to alien

(a) - (d) (No change.)

(e) To determine the amount of income to be deemed to an alien, the CWA shall proceed as follows:

1. (No change.)

2. Subtract $[500.00] 512.00 for the sponsor, $[750.00] 768.00 for the sponsor if living with his or her spouse, $[1,000.00] 1,024.00 for the sponsor if his or her spouse is a co-sponsor.

3. Subtract $[250.00] 256.00 for any other dependent of the sponsor who is or could be claimed for Federal Income Tax purposes.

4. (No change.)

(f) (No change.)