

LEGAL NOTICE

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

Affordable Care Act

TAKE NOTICE that the New Jersey Department of Human Services (DHS), Division of Medical Assistance and Health Services (DMAHS) will seek approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), for state plan amendments in accordance with Section 2001(a) of the Affordable Care Act (ACA) which added section 1902(a)(10)(A)(i)(VIII) of the Social Security Act, under which states can elect to provide Medicaid coverage starting January 1, 2014 to non-pregnant individuals age 19 or older but under 65 who are not otherwise eligible for Medicaid under a mandatory group, are not Medicare eligible, and who have household income, based on the new MAGI (Modified Adjusted Gross Income) based methodologies, at or below 133% of the federal poverty level (FPL). This includes coverage of this group when determined presumptively eligible. These individuals do not have to meet categorical requirements such as blindness, disability, or caring for a dependent child in order to qualify.

As this population is to be covered with 100% federal funding through September, 2016, there is no immediate state fiscal impact as a result of this amendment.

DMAHS will also seek approval from CMS for related state plan amendments required by the ACA regarding: Medicaid coverage of the new mandatory eligibility group established pursuant to the ACA for individuals under age 26 who upon reaching age 18 were in foster care under the responsibility of the state; the modified adjusted gross income (MAGI) based income methodologies that will be used effective January 1, 2014 for determining eligibility for most children, pregnant women, and parents and caretaker relatives and adults described in 42 CFR 435.119; the use of a single streamlined application approved by the Secretary; and the entities that have authority and responsibility to determine eligibility and to conduct fair hearings, including an entity established under section 1411(f) of the Affordable Care Act. The Secretary, in consultation with the Secretary of the Treasury, the Secretary of Homeland Security,

and the Commissioner of Social Security, shall establish procedures by which the Secretary or one of such other Federal officers hears and makes decisions with respect to appeals of any determination under section 1411(e) of the Affordable Care Act and redetermines eligibility on a periodic basis in appropriate circumstances.

An estimated state cost of \$2.6 Million for State Fiscal Year 2014 and \$6.7 Million for State Fiscal Year 2015 is anticipated for the new mandatory eligibility group including former foster care children up to age 26.

This Notice is intended to satisfy the requirements of Federal law and regulations, specifically 42 CFR 447.205 and 42 U.S.C. 1396a(a)(13). Notice of these changes is available for public review at the local Medical Assistance Customer Centers, County Welfare Agencies, and on the DHS website at <http://www.state.nj.us/humanservices/providers/grants/public/index.html>. Comments or inquiries must be submitted in writing by mail, e-mail, or fax within 30 days of the date of this notice to:

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