



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 08731-26

AGENCY DKT. NO. N/A

M.O.,

Petitioner,

v.

**UNION COUNTY BOARD OF SOCIAL
SERVICES,**

Respondent.

M.O., petitioner, pro se

Steven Dinardo, CWA Representative, for respondent pursuant to N.J.A.C.
1:1-5.4(a)3

Record Closed: July 1, 2026

Decided: July 7, 2026

BEFORE **EVELYN J. MAROSE**, ALJ/Ret., on recall:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner, M.O., appeals the termination of Medicaid benefits by respondent, the Union County Board of Social Services ("CWA"). The CWA asserts that M.O. is over income.

The Division of Family Development transmitted this matter to the Office of Administrative Law ("OAL") on June 1, 2026. The matter was heard on July 1, 2026, at which time the record closed. M.O.'s daughter D.O. interpreted in Portuguese for her mother during the Fair Hearing.

FACTUAL DISCUSSION AND FINDING OF FACTS

Based upon the evidence presented at the hearing, and the opportunity to hear the witnesses and assess their credibility, I **FIND** the following to be the pertinent **FACTS**:

CWA representative detailed, and petitioner confirmed, that petitioner receives Social Security monthly benefits of \$1,357. The CWA representative noted that in calculating petitioner's entitlement to the benefits, the CWA credited her with a \$20 disregard. Thus, for purposes of calculating her monthly Medicaid entitlement, petitioner's monthly income is \$1,337 or \$7 over the maximum monthly income of \$1,330, required for entitlement to Medicaid benefits.

Petitioner stated that her monthly income of \$1,357 is not sufficient to pay for all her expenses, including the 20% balance that is due and owing to her medical providers after her Medicare benefits are paid. She requested a judicial decision since, though she acknowledged being over income, she could not consent to withdraw her appeal based upon her financial need for benefits.

The CWA representative advised petitioner that, though he could not guarantee approval, she could apply for MLTSS Medicaid—a program with different financial eligibility standards. The representative offered to provide application information for her consideration.

LEGAL ANALYSIS AND CONCLUSION

To be eligible for Medicaid, petitioner has to be income and resource qualified. The maximum income for an individual participating in the Medicaid Only program is \$1,330. N.J.A.C. 10:72-4.1.

The evidence of petitioner's monthly income of \$1,357, even with application of a \$20 disregard established that M.O. is over the income limit of \$1,330, accordingly, I **CONCLUDE** that petitioner is not eligible for Medicaid based upon her income.

ORDER

Based upon the foregoing, it is **ORDERED** that M.O.'s appeal of the determination that she is not eligible for Medicaid benefits is **DENIED**.

It is further **ORDERED** that the CWA's denial of Medicaid benefits is **AFFIRMED**.

I **FILE** this initial decision with the **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**. This recommended decision is deemed adopted as the final agency decision under 42 U.S.C. § 1396a(e)(14)(A) and N.J.S.A. 52:14B-10(f). The **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES** cannot reject or modify this decision.

If you disagree with this decision, you have the right to seek judicial review under New Jersey Court Rule 2:2-3 by the Appellate Division, Superior Court of New Jersey, Richard J. Hughes Complex, PO Box 006, Trenton, New Jersey 08625. A request for judicial review must be made within 45 days from the date you receive this decision. If you have any questions about an appeal to the Appellate Division, you may call (609) 815-2950.

July 7, 2026



DATE

EVELYN J. MAROSE, ALJ

Date Filed with Agency:

July 7, 2026

Date Sent to Parties:

July 7, 2026

sej

APPENDIX

WITNESSES

For Petitioner:

M.O., Petitioner

D.O., (Petitioner's daughter and interpreter)

For Respondent:

Steven Dinardo, CWA Representative

EXHIBITS

For Petitioner:

None

For Respondent:

None