



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

OAL DKT. NO. HMA 05129-2026

AGENCY DKT. NO. N/A

T.K. JR.,

Petitioner,

v.

**BERGEN COUNTY BOARD
OF SOCIAL SERVICES,**

Respondent.

T.K. Jr., petitioner, pro se

Jill Cotter, Fair Hearing Liaison, for respondent pursuant to N.J.A.C. 1:1-5.4(a)(3)

Record Closed: May 29, 2026

Decided: June 18, 2026

BEFORE **SUDHA V. RAJA**, ALJ:

STATEMENT OF THE CASE

On October 31, 2025, petitioner, T.K. Jr., applied to respondent, the Bergen County Board of Social Services (Bergen County), for Medicaid with the Family Care Aged, Blind, and Disabled Programs (Medicaid) when he was receiving Social Security benefits in the amount of \$3,632 per month. Was petitioner eligible for Medicaid? No. The income limit for Medicaid for aged, blind, and disabled persons is \$1,330. N.J.A.C.

10:72-4.1.

PROCEDURAL HISTORY

On October 31, 2025, T.K., Jr. applied to Bergen County for Medicaid. On February 11, 2026, Bergen County denied the application for exceeding the monthly income limit and terminated Medicaid. On February 18, 2026, petitioner appealed the determination.

On March 27, 2026, the Division of Medical Assistance and Health Services (DMAHS) transmitted this case to the Office of Administrative Law (OAL) as a contested case under N.J.S.A. 52:14B-1 to -15; N.J.S.A. 52:14F-1 to -13.

The OAL scheduled this case for a hearing on May 21, 2026, which I adjourned until May 29, 2026, so the parties could provide documents.

On May 29, 2026, I held the hearing and closed the record.

FINDINGS OF FACT

Based on the testimony the parties provided and my assessment of their credibility, together with the documents the parties provided and my evaluation of their sufficiency, I **FIND** the following **FACTS**:

On October 31, 2025, T.K., Jr. applied to Bergen County for Medicaid. (R-1) At the time, T.K., Jr., received Supplemental Security Income (SSI) in the amount of \$3,632.60 per month. Additionally, he had \$800 cash on hand, an IRA investment of \$1.6 million, and Life Insurance policy with Prudential in the amount of \$1.5 million.

T.K. Jr.'s income exceeds the monthly program income limit of \$1,330. (R-2 and Cotter testimony.)

CONCLUSIONS OF LAW

The Medicaid program is a cooperative federal-state venture established by Title XIX of the Social Security Act. 42 U.S.C.A. §1396 et seq. (the Medicaid Act). It "is designed to provide medical assistance to persons whose income and resources are insufficient to meet the costs of necessary care and services." L.M. v. Division of Medical Assistance & Health Services, 140 N.J. 480, 484 (1995) (quoting Atkins v. Rivera, 477 U.S. 154, 156, 106 S.Ct. 2456, 91 L.Ed. 2d 131 (1986) See Mistrick v. Division of Medical Assistance & Health Services, 154 N.J. 158, 165 (1998).

New Jersey has elected to participate in the Medicaid program through the enactment of the New Jersey Medical Assistance and Health Services Act, N.J.S.A. 30:4D-1 to -19.1. As permitted by the Medicaid Act, New Jersey has opted to provide Medicaid coverage to "optionally categorically needy" individuals receiving long term care in a medical institution through the Medicaid Only program. Mistrick, 154 N.J. at 167. Consistent with the recognized policy that Medicaid is designed for needy individuals, the Legislature has directed that Medicaid benefits "shall be last resource benefits notwithstanding any provisions contained in contracts, wills, agreements or other instruments." N.J.S.A. 30:4D-2.

The income limit for Medicaid for aged, blind, and disabled persons in 2026 is \$1,330. N.J.A.C. 10:72-4.1. Here, T.K. Jr.'s monthly income exceeds the monthly program income limit of \$1,330. Therefore, I **CONCLUDE** that the T.K. Jr. is not eligible for Medicaid.

ORDER

I **ORDER** that T.K. Jr. is not eligible for Medicaid and that this case is **DISMISSED**.

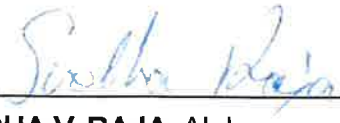
I **FILE** this initial decision with the **ASSISTANT COMMISSIONER OF THE DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**. This recommended decision is deemed adopted as the final agency decision under 42 U.S.C. § 1396a(e)(14)(A) and N.J.S.A. 52:14B-10(f). The **ASSISTANT COMMISSIONER OF THE**

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.

June 18, 2026

DATE


SUDHA V. RAJA, ALJ

Date Filed with Agency:

Date Sent to Parties:

SR/mm

APPENDIX

Witnesses

For petitioner:

T.K. Jr., petitioner

For respondent:

Jill Cotter, HSS II and FHL

Exhibits

For petitioner:

P-1 1.5-page e-mail dated May 27, 2026

For respondent:

- R-1 Petitioner's application dated 10/31/25
- R-2 Bergen's NJ Care Worksheet
- R-3 Social Security Administration income verification
- R-4 Petitioner's Medicaid Eligibility System printout showing Medicaid coverage through February 28, 2026
- R-5 Bergen County letter dated February 11, 2026 denying Medicaid application and terminating petitioner's Medicaid