

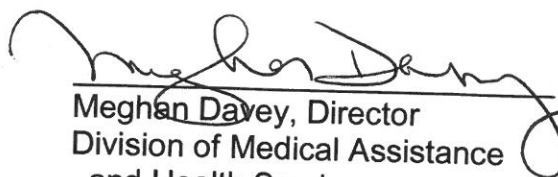
This matter arises from the Medicaid eligibility date. Petitioner applied for Medicaid in June 2018. In order to qualify for Medicaid her gross income would have to be \$1,012 or less under the New Jersey Care . . . Special Medicaid Program. However, Petitioner's gross income of \$1,571 renders her ineligible. Petitioner's only path to eligibility for Medicaid benefits is under the Long-Term Care Services and Supports (LTSS) program that permits the use of a higher income level - 300 percent of the SSI benefit amount. In order for eligibility to be granted at this higher income level, nursing level of care must be necessary. See 42 CFR § 435.236 and 42 CFR § 435.1005. That level of care requires that a pre-admission screening (PAS) be completed by "professional staff designated by the Department, based on a comprehensive needs assessment which demonstrates that the recipient requires, at a minimum, the basic NF services described in N.J.A.C. 8:85-2.2." N.J.A.C. 8:85-2.1(a). See also, N.J.S.A. 30:4D-17.10, et seq. This must be done prior to receipt of benefits so as not to create a Medicaid program in the community using the higher income level.

Petitioner was found to be clinically eligible as of August 1, 2018. However, due to her hospitalization in July 2018, Petitioner was found to meet clinical eligibility as of July 1, 2018. This is the earliest date Petitioner could be found eligible due to her income. As such, I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 8th day of MARCH 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services