


This matter concerns the denial of Petitioner's application for Medicaid benefits. At issue is Petitioner's citizen status. Pursuant to 8 U.S.C. §1612 and §1613 and N.J.A.C. 10:69-3.9(c)1, a legal alien who entered the country after August 22, 1996 is not eligible to receive Medicaid benefits for a period of five years. At the time of the application, Petitioner had returned to the United States after being absent since 2007. Her permanent resident status expired on August 31, 2017. She returned to the United States on November 28, 2018 and that is her current date as a legal permanent resident pursuant to the Systematic Alien Verification for Entitlements Program (SAVE). As such, she is restricted from receiving Medicaid for five years after receiving permanent legal status.

The Initial Decision upheld the denial and based on the record before me and the applicable law, I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 2nd day of MAY 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services