



The matter arises regarding Petitioner's application signed on December 25, 2018. At the time she had been residing in a nursing home for two years. Petitioner, through her authorized representative Future Care Consultants, told Salem County that they were concurrently applying for Supplemental Security Income (SSI) benefits for Petitioner. That application was filed December 18, 2018. (P-2).

Salem County denied the case due to the concurrent application for SSI. Individuals who received SSI are automatically eligible to receive Medicaid benefits. Additionally, New Jersey is bound by the disability determination made by the Social Security Administration (SSA) for SSI. N.J.A.C. 10:71-3.11. Thus, where an applicant must be found disabled in order to access Medicaid benefits, SSA's determination regarding disability is controlling.

Petitioner was eventually found eligible for SSI as of March 2019. P-1. As she was residing in the nursing home, the SSI payment was set to \$50 or the Personal Needs Allowance (PNA) amount. It is unclear why the nursing home did not apply for SSI prior as this money would have permitted Petitioner to buy discretionary items for her enjoyment.

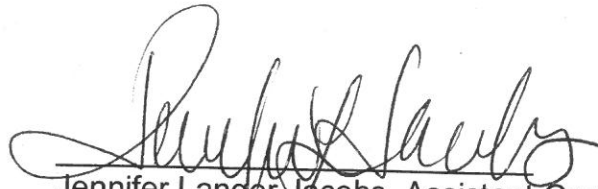
The Initial Decision found that Salem County should have processed the case. Petitioner was applying for the Aged, Blind and Disabled (ABD) Program, which requires applicants to fit in one of those categories. Petitioner was over age 65 and considered aged. The SSI benefit would have permitted Petitioner a nominal income but she did not require a disability finding in order to access Medicaid benefits. I agree with the Initial Decision that N.J.A.C. 10:71-2.4(a) does not apply to this case and hereby RETURN the matter to Salem County to process the application.

THEREFORE, it is on this <sup>2<sup>nd</sup></sup> day of DECEMBER 2019,

ORDERED:

That the Initial Decision is hereby ADOPTED; and

That the matter is RETURNED to Salem County for further review and action  
on the application.



Jennifer Langer Jacobs, Assistant Commissioner  
Division of Medical Assistance  
and Health Services