

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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TRENTON, NJ 08625-0712

SARAH ADELMAN Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

J.S.,

PETITIONER.

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DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND:

HUDSON COUNTY BOARD OF:

SOCIAL SERVICES.:

RESPONDENTS.

ADMINISTRATIVE ACTION
FINAL AGENCY DECISION

OAL DKT. NO. HMA 3529-2021

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Neither party filed exceptions to the Initial Decision in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is September 30, 2021 in accordance with an Order of Extension.

The matter arises regarding the determination by Hudson County Board of Social Services (Hudson County) that Petitioner was not eligible for benefits due to excess

income. At issue is the amount of income, Petitioner and his wife earn. Hudson County calculated their income to exceed the standard.

The Initial Decision determined that Hudson County correctly determined that Petitioner's income exceeded the income standard. While I concur with the income calculation, the record shows that Petitioner was not a new applicant. Rather the documents provided by Hudson County show that Petitioner had been receiving benefits at the time the determination notice was issued and those benefits have been continued. The Families First Coronavirus Response Act (FFCRA) requires that states provide continuous Medicaid eligibility for those enrolled as of March 18, 2020, through the end of the federal Public Health Emergency (PHE). Thus, I hereby MODIFY the Initial Decision to find that while Petitioner's income was calculated correctly, the FFCRA requirement that his benefits continue applies. Petitioner's eligibility will be redetermined at the end of PHE.

24th

THEREFORE, it is on this day of SEPTEMBER 2021,

ORDERED:

That the Initial Decision is hereby MODIFIED; and

That Petitioner's benefits shall continue in accordance with the FFCRA and until such time as the federal PHE ends.

Jennifer Langer Jacobs, Assistant Commissioner

Division of Medical Assistance

and Health Services