

This matter arises from the Camden County Board of Social Services' (Board) termination of Petitioner's Medicaid benefits as a result of being over the income limit to qualify for benefits. Petitioner appealed the determination, and the matter was transmitted to the OAL for a fair hearing. The Initial Decision upheld the termination and found that Petitioner's income exceeds the threshold for 2023 to qualify for Medicaid, pursuant to N.J.A.C. 10:72-4.1. I concur.

Here, Petitioner completed a renewal Medicaid application dated July 24, 2023, in which they disclosed that they receive monthly Social Security payments in the amount of \$1,843 and have a checking account with a balance of \$8,000. (R-1, pages 1-9.) The Board completed an eligibility worksheet to determine Petitioner's countable income. (R-1, page 11.) The Board had determined that Petitioner's total monthly countable income was \$1,823.00 based upon their monthly Social Security income after deducting \$20 because Petitioner does not reside in a nursing facility. (R-1, page 11.) According to DMAHS Income Standards, the income limit for a household of one under the Medicaid program for the aged, blind, and disabled with a gross monthly income that is equal to or less than 100% of the Federal Poverty Level is \$1,215 with a resource limit of \$4,000. (R-1, page 10.) On August 17, 2023, the Board denied Petitioner's renewal Medicaid application. (R-1, page-12.)

During the hearing, the Board's representative testified that they did not evaluate Petitioner's resources because Petitioner was already determined to be ineligible for having excess income. The Board's representative testified that the determination letter incorrectly stated that Petitioner was determined ineligible based on excess resource/assets. It is not clear from the record, why the Board did not correct the determination letter. To avoid any confusion, the Board should have issued a proper determination notice.

At the hearing, Petitioner confirmed that he receives Social Security retirement payment in the amount of \$1, 843 per month. Because \$1,215 a month is the maximum allowable income limit for a household of one, this makes Petitioner over the income limit and therefore ineligible pursuant to N.J.A.C. 10:72-4.1. As explained in the Initial Decision, earned and unearned income is used in the calculation of Medicaid eligibility and Petitioner's unearned income exceeds the income standard.

After reviewing the record, I agree that Petitioner's monthly Social Security retirement payment is over the income limit under the Medicaid program for the aged, blind, and disabled. Thus, for the reasons set forth above and those contained in the Initial Decision, I hereby affirm the termination of Petitioner's benefits for being over the income limit.

THEREFORE, it is on this 12th day of February 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.



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

ⁱ As testified at the hearing, the termination letter incorrectly stated that Petitioner was determined ineligible based on excess resources/assets rather than excess income pursuant to N.J.A.C. 10:72-5.1.