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DEPARTMENT OF HUMAN SERVICES
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Commissioner

GREGORY WOODS
Assistant Commissioner

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

I.H.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES AND
UNION COUNTY DIVISION OF
SOCIAL SERVICES,
RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 16071-24

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the OAL case file, the documents in evidence, and the Initial Decision in this matter. Neither Party filed exceptions. Procedurally, the time period for the Agency Head to render a Final Agency Decision is June 9, 2025.

This matter arises from the Union County Division of Social Services' (Union County) termination of Petitioner's Medicaid benefits due to excess income.

Here, Petitioner submitted a renewal packet for NJ Family Care/ Medicaid. ID at 2. Petitioner provided their income information: \$1,259 from Social Security and \$371 from driving. Ibid. Union County calculated Petitioner's monthly countable income at \$1,610. Ibid. Union County sent a letter to Petitioner, dated September 18, 2024, advising that their Medicaid benefits will be terminated effective October 31, 2024, due to being over-income. Ibid. Petitioner appealed the termination, and the matter was transmitted to the OAL for a fair hearing. ID at 1. A hearing was conducted on April 25, 2025. ID at 2.

The Initial Decision upheld Union County's determination. The Administrative Law Judge (ALJ) found that Union County correctly terminated Petitioner's Medicaid benefits when their income exceeded the income limit. ID at 4. I concur with the ALJ's findings.

Income limits for Medicaid for aged, blind, and disabled persons (except for specified low-income Medicare beneficiaries), covered under the provisions of this chapter will be based on 100 percent of the poverty income guidelines as defined by the U.S. Department of Health and Human Services in accordance with sections 652 and 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub.L. 97-35). N.J.A.C. 10:72-4.1(a). The monthly income standard will be 1/12 of the annual poverty income guideline rounded down to the next whole dollar amount for household unit sizes of one and two for aged, blind, and disabled individuals. The annual revision to the Federal poverty income guideline will be effective for the purposes of this section with the first day of the year for which the poverty income guideline is promulgated. Ibid.

Special Medicaid/ABD Programs are for individuals with a gross monthly income that is equal to or less than 100% of the Federal Poverty Level, which is \$1,255 per month for a single person in 2024. See MEDICAID COMMUNICATION NO. 24-02.

In processing Petitioner's application, Union County counted Petitioner's combined earned and unearned income from Social Security and driving at \$1,610. The OAL file does not provide any evidence regarding Petitioner's income, however, Petitioner confirmed their income during their testimony. The undisputed evidence in the record indicates that Petitioner's monthly income exceeded the maximum income limit of \$1,255 for a single individual in 2024, at the time of termination. As Petitioner's income of \$1,610 was over the maximum allowable limit of \$1,255 for a household of one, Petitioner was ineligible for the ABD program pursuant to N.J.A.C. 10:72-4.1(a). No authority permits the relaxation or waiver of income limits in any individual case.

I hereby ADOPT the Initial Decision and uphold Union County's termination of Petitioner's Medicaid benefits due to Petitioner's being over the allowable income limit.

THEREFORE, it is on this 27th day of MAY 2025,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services