

# State of New Jersey OFFICE OF ADMINISTRATIVE LAW

#### **INITIAL DECISION**

OAL DKT. NO. HMA 05477-25

N.T.	Ď,		:4 	2. 5
Petitione	эг,			
v. MERCER CO		30ARI	)	
OF SOCIAL S	ERVIC	ES		
Respond	dent.			

# Medicaid Only Excess Income Appeal N.J.A.C. 10:71-5

# STATEMENT OF THE CASE

Respondent denied petitioner's Medicaid Only application due to excess income under N.J.A.C. 10:71-5.6.

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

I.

I FIND that petitioner or petitioner's representative is AUTHORIZED to pursue the appeal; therefore, I CONCLUDE that standing has been established.
I FIND that petitioner or petitioner's representative is NOT AUTHORIZED to pursu this appeal; therefore, I CONCLUDE that standing has not been established.

11.

I FIND that petitioner's:	
Earned income is \$0	(N.J.A.C. 10:71-5.2, -5.4);
Unearned income is \$1775.33	(N.J.A.C. 10:71-5.2, -5.4);
Income exclusions total \$20	(N.J.A.C. 10:71-5.3);
Countable income totals \$1755.33	(N.J.A.C. 10:71-5.4(b)); an
The applicable income eligibility standard is \$1305	(N.J.A.C. 10:71-5.6).
n.	
I CONCLUDE that petitioner is over the applicable income INELIGIBLE for Medicaid Only benefits under	income limit and is therefore N.J.A.C. 10:71-5.6.
I CONCLUDE that petitioner is not over the applicable income ELIGIBLE for Medicaid Only benefits as concluded eligibility) under N.J.A.C. 10:71-5.6.	le income limit and is therefore of (fill in date of
ADDITIONAL FINDINGS OF FACT/CONCLU	JSIONS OF LAW
I further FIND that the petitioner has resource in the amou	ınt of
\$54,708.79 from Fidelity Individual Account at CrossGate	e Wealth
Advisors. ( <u>See</u> R-5.)	
The maximum resource eligibility standard is \$4,000.00.	
I therefore CONCLUDE that the petitioner is also over the	e resource
eligibility standard.	N.
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## **ORDER**

I ORDER that:	
Petitioner's appeal is <b>DISMISSE</b>	D because petitioner has no standing.
	for Medicaid Only benefits under N.J.A.C. 10:71
Petitioner is income <b>ELIGIBLE</b> for N.J.A.C. 10:71-5.6.	or Medicaid Only benefits as of under
	# 
OF MEDICAL ASSISTANCE AND decision is deemed adopted as to 1396a(e)(14)(A) and N.J.S.A. 52:14	ASSISTANT COMMISSIONER OF THE DIVISION DEPARTMENT DEPARTMENT OF THE DIVISION DEPARTMENT DEPARTM
Jersey Court Rule 2:2-3 by the Ap Richard J. Hughes Complex, PO Box judicial review must be made within 4	n have the right to seek judicial review under New pellate Division, Superior Court of New Jersey, 006, Trenton, New Jersey 08625. A request for 5 days from the date you receive this decision. If peal to the Appellate Division, you may call (609)
05/29/2025 DATE	JOAN M. BURKE , ALJ
Date Record Closed:	May 27, 2025
Date Filed with Agency:	
Date Sent to Parties:	

## **APPENDIX**

#### **Witnesses**

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# **Exhibits**

For Petition	<u>ner</u> :		9		20	
None						
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For Respon	dent:	9				
R-1: NJ FAM	IILYCARE AGE	D, BLIND, D	ISABLED PRO	GRAMS AF	PPLICATION	
	BLIND, DISABI					
R-3 SOCIAL	_ SECURITY AI	DMINSTATIV	'E LETTER			
R-4 SOLQ I	N-HOUSE SYS	TEM - SOCI	AL INCOME VE	ERIFICATION	ON	
R-5 CROSS	GATE WEALT	ADVISOR -	- BILLING SUM	MARY	- FE	
R-6 ADVER	SE ACTION NO	TICE / DENI	IAL NOTICE			
R-7 NJAC 1	0:72-4.1		18			
R-8 NJAC 1	0:72-4.5					
R-9 LETTER	R FROM PETITI	ONER				2
R-10 PETITION	ONER'S HOUS	E SALE DOC	CUMENTS			