

State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712

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JENNIFER VELEZ Commissioner

VALERIE HARR
Director

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

R.M.,

CHRIS CHRISTIE

Governor

KIM GUADAGNO

Lt. Governor

PETITIONER,

٧.

ADMINISTRATIVE ACTION

DIVISION OF MEDICAL ASSISTANCE

FINAL AGENCY DECISION

AND HEALTH SERVICES AND

OAL DKT. NO. HMA 06622-14

BERGEN COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, the contents of the OAL case file and Respondent's exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to file a Final Agency Decision is September 18, 2014 in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject, or modify

the Initial Decision within 45 days of receipt. The Initial Decision was received on August 4, 2014.

For the reasons set forth in Respondent's exceptions to the Initial Decision, I hereby REVERSE the Initial Decision finding Petitioner eligible for Medicaid benefits.

The income standard for the New Jersey Care . . . Special Medicaid (New Jersey Care) program is \$973 per month for an individual. Consequently, R.M's countable monthly income of \$980 (\$1000 in social security disability benefits less a \$20 disregard) exceeds the \$973 income limit for the New Jersey Care program.

Additionally, although the Affordable Care Act expanded Medicaid coverage for individuals between the ages of 19 and 65, coverage is not available for individuals receiving Medicare. See 42 CFR 435.119(b)(3).

THEREFORE, it is on this 5 day of September 2014,

ORDERED:

That the Administrative Law Judge's recommended decision finding that Petitioner is eligible for Medicaid benefits is hereby REVERSED.

> Valerie J. Harr, Director Division of Medical Assistance

and Health Services