

Based upon my review of the record, I hereby ADOPT the Initial Decision in its entirety and incorporate the same herein by reference. The undisputed evidence in the record indicates that Petitioner was receiving \$2,200 each month from his IRA account. Any income which is not specifically excluded shall be includable in the determination of countable income. N.J.A.C. 10:71-5.4(a). Such income shall include payments received in an annuity, pension, retirement or disability benefits etc. N.J.A.C. 10:71-5.4(a)3. Thus the IRA distribution is countable as income in the month it is received.

THEREFORE, it is on this 7th day of FEBRUARY 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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