



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
 DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
 P.O. Box 712
 Trenton, NJ 08625-0712

CHRIS CHRISTIE
 Governor

ELIZABETH CONNOLLY
 Acting Commissioner

KIM GUADAGNO
 Lt. Governor

VALERIE HARR
 Director

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

S.P.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
	:	FINAL AGENCY DECISION
v.	:	
	:	OAK DKT. NO. HMA 05441-15
	:	
DIVISION OF MEDICAL ASSISTANCE	:	
	:	
AND HEALTH SERVICES AND	:	
	:	
MIDDLESEX 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, and the entire contents of the OAL case file.

Procedurally, the time period for the Agency Head to file a Final Decision in this matter is August 21, 2015, in accordance with N.J.A.C. 52:14B-10 which requires an

Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision in this matter was received on July 7, 2015.

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's monthly income totals \$ 2,083. This amount exceeds the maximum income limit for a household of two (\$1,832 including the 5% general income disregard) under the New Jersey Family Care program. There is simply no authority that permits the relaxation or waiver of the income limits in any individual case. Thus, the Administrative Law Judge was correct in concluding that Petitioner's monthly income exceeds the New Jersey Care program income limits and that consequently her benefits were properly denied.

However, I suggest that Petitioner apply for coverage through the Health Insurance Marketplace by calling 1-800-318-2596.

THEREFORE, it is on this *5th* day of AUGUST 2015,

ORDERED:

That the Initial Decision affirming the denial of Petitioners' Medicaid application is hereby ADOPTED as the Final Decision in this matter.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services