

State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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ELIZABETH CONNOLLY

Acting Commissioner

VALERIE HARR Director

CHRIS CHRISTIE Governor

KIM GUADAGNO Lt. Governor

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

T.K.

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

٧.

OAL DKT. NO. HMA 2621-2015

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

UNION 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 Agency Decision is October 1, 2015, 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 in this matter was received on

August 17, 2015.

Petitioner's application for benefits was denied in March 2015 as the household's gross monthly income was calculated to be \$3,112.36. The Initial Decision upheld the denial and I concur.

The Affordable Care Act regulations establish a new method for counting income based upon an applicant's Modified Adjusted Gross Income (MAGI). The countable income for MAGI is gross income according to the Internal Revenue Service Code. See 42 CFR § 435.603. Since MAGI methodology is based on the Internal Revenue Code, household compositions are identified as either tax filing or non-tax filing, with corresponding regulations governing each. 42 CFR § 435.603(f).

It is clear that Petitioner's income at the time of the denial exceeded the monthly income standard. However, Petitioner claims that he is no longer employed as of May 2015. As Union County mentioned at the hearing, Petitioner can reapply at any time and his new income will be evaluated.

THEREFORE, it is on this 25 pc day of SEPTEMBER 2015

ORDERED:

That the Initial Decision upholding the denial of benefits is ADOPTED.

Valerie J. Harr, Director

Division of Medical Assistance

and Health Services