



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Acting Commissioner

MEGHAN DAVEY
Director

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

A.S.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

PASSAIC COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 14052-2017

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Decision is March 5, 2018 in accordance with an Order of Extension.

The matter arises regarding the denial of Petitioner's application for Medicaid benefits due to excess income. Petitioner contends that the \$2,500 monthly income the family received from relatives should not count towards Medicaid eligibility.

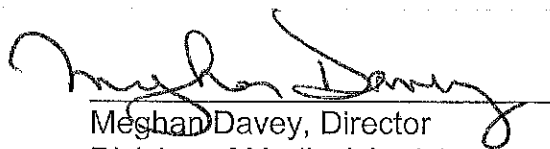
The Initial Decision held that Petitioner's application was properly denied relying on N.J.A.C. 10:69-10.18 and 10:21. However, as of January 1, 2014, the financial methodologies set forth in the Affordable Care Act (ACA) regulations must be used in determining the financial eligibility of individuals for Medicaid. The ACA regulations establish a new method for counting income based upon an applicant's modified adjusted gross income (MAGI). See 42 CFR 435.603. It does not appear that MAGI was applied to Petitioner's income. Thus, I hereby REVERSE the Initial Decision and RETURN the matter to Passaic County to process the application under MAGI rules.

THEREFORE, it is on this ^{16th} day of FEBRUARY 2018,

ORDERED:

That the Initial Decision is hereby REVERSED; and

That the matter is hereby RETURNED to Passaic County for further action.


Meghan Davey, Director
Division of Medical Assistance
and Health Services