

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER Lt. Governor

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

CAROLE JOHNSON Commissioner

MEGHAN DAVEY

Director

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

F.B.,

PETITIONER,

V.

DIVISION OF MEDICAL ASSISTANCE:

AND HEALTH SERVICES AND

HUDSON COUNTY DEPARTMENT

OF FAMILY SERVICES

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 04373-2018

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision reversing the termination of Petitioner's Medicaid eligibility. Procedurally, the time period for the Agency Head to file a Final Decision is June 29, 2018, 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 May 15, 2018.

This matter arises from Hudson County Department of Family Services' termination of Petitioner's Medicaid eligibility based on finding that Petitioner's income exceeded program eligibility limits.

The Initial Decision dated May 15, 2018, found that the County did not apply the self-employment formula when calculating Petitioner's monthly household income. During the hearing, Hudson County agreed that the self-employment formula was not applied to Petitioner's income. Petitioner and her husband had a combined gross monthly income of \$2,651, which consisted of \$2,304 earned by Petitioner's husband a self-employed Uber driver; and \$347 earned by Petitioner a self-employed messenger. The County agreed that when multiplied by 0.49, as required by the self-employment formula, Petitioner's countable household income was \$1,299, which is within 133% of the 2017 Federal Poverty of \$2,349. As a result the Initial Decision reversed the County's termination of benefits and Ordered that Petitioner's eligibility be reinstated.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Initial Decision in its entirety.

THEREFORE, it is on this day of JUNE 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Meghan Davey, Director

Division of Medical Assistance

and Health Services