



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

MEGHAN DAVEY
Director

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

S.P.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
SOMERSET COUNTY BOARD	:	OAL DKT. NO. HMA 17545-17
	:	
OF SOCIAL SERVICES,	:	
	:	
RESPONDENT.	:	

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. In addition, I reviewed the Initial Decision, the OAL case file and the documents filed below related to M.P. v. Somerset County Board of Social Services; Docket No. HMA 17544-17. Combined, these two cases concern the eligibility of a married couple and the facts, documents, and testimony, presented are the same. Procedurally, the time period for the Agency Head to file a Final Decision is March 26, 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 February 9, 2018.

The matter arises regarding the termination of Petitioner's Medicaid benefits. S.P. is married to M.P. and at the time of the eligibility determination, their combined household monthly income was \$1,419. After applying community and Jersey Care deductions in the amount of \$20, the countable income was \$1,399. That amount exceeds the maximum monthly

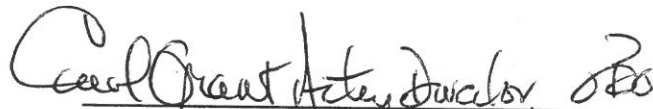
income standard for a household of two, which is \$1,354 for the New Jersey Care/Special Medicaid Program.

The Initial Decision held that the Board properly terminated Petitioner's eligibility based on its determination that Petitioner's income exceeds the maximum income for the New Jersey Care/Special Medicaid Program. Based on my review of the record, I concur with the Initial Decision. While it is unfortunate that Petitioner's income exceeds \$1,354 by such a small amount, the income threshold is a bright line test. While Petitioner's situation may be sympathetic, there is no statutory or regulatory leeway to grant Medicaid benefits to those who are above the income limit.

THEREFORE, it is on this ^{26th} day of MARCH 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services 