

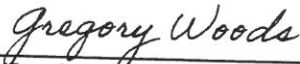
On September 16, 2021, Petitioner submitted his fifth Medicaid application to ECBSS. ECBSS approved this application in October 2021 effective August 2021. It is the subject of the current matter. Petitioner did not appeal the denials of prior applications. Therefore, Petitioner's request for retroactive eligibility for Medicaid benefits applied to the filing date of a previous Medicaid application is improper.

An application can only establish eligibility for the month in which it is filed, in this case, September 2021. N.J.A.C. 10:71-4.5(c) states that participation in the Medicaid Only program will be denied if the resources of an individual exceed \$2000. Moreover, resource eligibility is determined as of the first moment of the first day of the month. 20 C.F.R. §416.1207(a) and N.J.A.C. 10:71-4.1(e). The evidence in the record indicates that Petitioner did not provide ECBSS with the verifications needed to establish that his resources were within the prescribed limits until October 2021, in connection with the September 2021 application. Congress provided that retroactive benefits are available when the applicant would have been financially eligible in the three months prior to the application. See N.J.A.C. 10:49-2.9(a) and 42 U.S.C. § 1396a(a)(34). Based on the documentation provided, ECBSS was able to determine that Petitioner would have been financially eligible for Medicaid in August 2021, the month prior to application, and awarded retroactive eligibility for that month.

THEREFORE, it is on this 13th day of SEPTEMBER 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance and Health Services

OBO JLJ