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Governor

TAHESHA L. WAY
Lt. Governor

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health
Services
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SARAH ADELMAN
Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

C.P.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DIVISION OF MEDICAL ASSISTANCE	:	OAL DKT. NO. HMA 08853-23
	:	
AND HEALTH SERVICES AND	:	
	:	
ESSEX COUNTY DEPARTMENT	:	
	:	
OF SOCIAL SERVICES,	:	
	:	
RESPONDENTS.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to render a Final Agency

Decision is May 13, 2024, in accordance with an Order of Extension.

This matter arises from the August 31, 2023 termination of Petitioner's Aged, Blind, Disabled Medicaid benefits due to excess income. The Essex County Board of Social Services (Essex County) determined that Petitioner's monthly income of \$1,714.70 exceeded the monthly program limit of \$1,677, and accordingly Petitioner was ineligible for Medicaid. Petitioner did not dispute the income determination but instead sought leniency considering that Petitioner was only slightly over income and had regular medical appointments.

The Initial Decision upheld the termination, as Petitioner's income exceeded the income limit to qualify for Medicaid, pursuant to N.J.A.C. 10:71-5.6. I concur. Countable income is determined by adding the applicant's nonexempt unearned income (less appropriate exclusions) to the applicant's earned income (less appropriate exclusions). N.J.A.C. 10:71-5.2(a). Any income not specifically excluded under the provisions of N.J.A.C. 10:71-5.3 shall be included in the determination of countable income. N.J.A.C. 10:71-5.4(a).

The undisputed evidence in the record indicates that Petitioner's monthly income of \$1,714.70 exceeds the maximum income limit. There is no authority that permits the relaxation or waiver of income limits in any individual cases.

Thus, I hereby ADOPT the Initial Decision and uphold Essex County's termination of Petitioner's Medicaid benefits due to excess income.

THEREFORE, it is on this 16th day of APRIL 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Gregory Woods

OBO JLJ

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