

The matter arises regarding the Morris County Department of Human Services/Office of Temporary Assistance's (Morris County) June 30, 2023 termination of Petitioner's Medicaid benefits due to excess income.¹ The Initial Decision upheld the termination and found that Petitioner's combined household income including Petitioner's Social Security income, their husband's Social Security income, and daughter's monthly contribution was over the applicable maximum Federal poverty limit. ID at 2. At the fair hearing, Petitioner and Respondent did not provide any evidence about the family's income.

Upon reviewing the documents contained in the OAL file, it was discovered that there was no specific proof in the record as to the source of Petitioner's income or the specific amount of income received. The R-1 exhibit included Petitioner's Medicaid application and Petitioner's 2022 individual tax return. However, no income verification exhibits were included for Petitioner and their spouse.

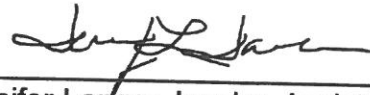
In order to settle the record, I am remanding the matter to OAL solely for the Petitioner to provide proof of income such as a form 1099-Social Security Benefit Statement for Petitioner or the bank statements; a form 1099-Social Security Benefit Statement for Petitioner's spouse or the bank statements, self-employment income verification for Petitioner's spouse; and the bank statements as proof of Petitioner's daughter's contribution of \$1300 per month or a written communication from Petitioner's daughter how she contributed \$1300 to her parents. Upon production of the missing documents, the matter with the complete case file should be returned to the agency to render a Final Agency Decision.

THEREFORE, it is on this 1st day of May 2024,

¹ The termination notice dated June 30, 2023 was a part of the OAL case file.

ORDERED:

The Initial Decision is hereby REVERSED and REMANDED for Petitioner to provide credible documentary evidence of source and amount of income solely to settle the record and provide for the inclusion in the OAL case record of the exhibits entered into evidence below.



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