

The Initial Decision upheld the denial, as Petitioner's income exceeded the income limit for the Aged, Blind and Disabled program. I concur. Here, Petitioner was determined ineligible for NJ Family Care benefits because Petitioner's income exceeds the standard pursuant to N.J.A.C. 10:72-4.1. R-D.² According to Monmouth County, Petitioner receives \$1051 in Retirement, Survivors and Disability Insurance and a monthly pension of \$227 from Petitioner's lifetime union benefit. R-C. The total countable income after the \$20 income exclusion results in Petitioner's total countable income being \$1258. This amount exceeds the allowable income of \$1215. See Medicaid Communication No. 23-02.

Pursuant to N.J.A.C. 10:71-5.1(b), "[a]ll income, whether in cash or in-kind, shall be considered in the determination of eligibility, unless such income is specifically exempt under the provisions of N.J.A.C. 10:71-5.3." Petitioner has failed to show that the monthly payments received qualify as excludable income pursuant to N.J.A.C. 10:71-5.3. Accordingly, the verified monthly income shows Petitioner's total income exceeds the monthly program limit of \$1,215. As such, Monmouth County appropriately denied Petitioner's application.

Thus, based upon my review of the record, and for the reasons set forth herein, I hereby ADOPT the ALJ's recommended decision, as set forth above. The undisputed evidence in the record indicates that Petitioner's income is in excess of the maximum income limit. N.J.A.C. 10:72-4.1. There is no authority that permits the relaxation or waiver of the income limits in any individual case.

² R-D refers to Respondent's exhibits.

THEREFORE, it is on this 26th day of NOVEMBER 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.

Gregory Woods

Gregory Woods, Assistant Commissioner
Division of Medical Assistance