

PHILIP D. MURPHY Governor

TAHESHA L. WAY Lt. Governor State of Rew Jersey DEPARTMENT OF HUMAN SERVICES Division of Medical Assistance and Health Services SARAH ADELMAN Commissioner

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GREGORY WOODS Assistant Commissioner

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

Γ.(Ι.,	
PETITIONER,	ADMINISTRATIVE ACTION
V.	FINAL AGENCY DECISION
MONMOUTH COUNTY DIVISION OF SOCIAL SERVICES AND DMAHS,	: OAL DKT. No. HMA 08950-2024
RESPONDENT.	

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. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is November 29, 2024 in accordance with an Order of Extension.

This matter arises from the June 10, 2024 denial of Petitioner's Medicaid application due to excess income. The Monmouth County Board of Social Services (Monmouth County) deemed Petitioner ineligible because Petitioner's income exceeded the standard. The income limit to qualify for benefits at the time of Petitioner's application was \$1,215.00.¹ See Medicaid Communication No. 23-02. As such, Petitioner's application for benefits was denied.

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P.H.,

¹ Petitioner's application is dated November 18, 2023, and was received by DMAHS on November 22, 2023. It appears Monmouth County incorrectly referenced the 2024 income standard which allocates \$1255 rather than \$1215 for the 2023 income standard. However, this error does not affect the outcome of the decision.

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]II 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