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

JENNIFER LANGER JACOBS
Assistant Commissioner

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

S.S.,

PETITIONER,

v.

MORRIS COUNTY DEPARTMENT
OF HUMAN SERVICES/OFFICE OF
TEMPORARY ASSISTANCE,
RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 08582-23

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 6, 2024, in accordance with an Order of Extension.

The matter arises from the July 18, 2023 denial of Petitioner's Medicaid application due to excess income. The Morris County Division of Social Services (Morris County) deemed Petitioner ineligible because the combined household income exceeds the standard. The income limit to qualify for benefits at the time of Petitioner's application was \$1,644.00. See Medicaid Communication No. 23-02. As such, Petitioner's application for benefits was denied.

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 the household income exceeded the standard pursuant to N.J.A.C. 10:72-4.1. R-1. According to Morris County, Petitioner and his wife showed a combined household income of \$1,675.07, which includes social security payments of \$345.00 and \$1,038.00 and a pension payment of \$312.07.¹ The total combined income reported of \$1,675.07 exceeds the maximum allowable income of \$1,644.00. 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 deposits into his bank account qualify as excludable income, pursuant to N.J.A.C. 10:71-5.3. In fact, Petitioner submitted all relevant financial documents as required under the regulations. See N.J.A.C. 10:71-4.1. Accordingly, these verified monthly deposits show Petitioner's total combined household income exceeds the monthly program limit of \$1,644.00, and accordingly, Morris County appropriately denied Petitioner's application. R-1.

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 has a combined household income in excess of the maximum income limit for a household of two which puts Petitioner over the allowable 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.

¹ Petitioner's household combined income appears to be \$1,695.07 rather than \$1,675.07 as reported by Morris County. This discrepancy has no bearing on the denial of Petitioner's application.

THEREFORE, it is on this 18th 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