

for those applicants already enrolled in the PAAD Program. The application shall be legible and accurate. The applicant shall:

- i.-iv. (No change.)
- 2. (No change.)
- (d) (No change.)
- (e) The PAAD and HAAAD applications may be obtained as follows:
  1. The PAAD application can be found at <http://www.state.nj.us/humanservices/doas/forms/ap-2.pdf>, and the HAAAD application can be found at <http://www.state.nj.us/humanservices/doas/forms/ha-1.pdf>;
  - 2.-3. (No change.)
- (f) The PAAD application shall contain fields for the submission of information as required by N.J.A.C. 10:167-6.6 and the HAAAD application shall contain fields for the submission of information required by (c) above and other identifying information for the applicant, such as name, address, zip code, and applicant's Social Security number and PAAD identification number.

#### SUBCHAPTER 5. ELIGIBILITY REQUIREMENTS

##### 10:167E-5.1 Age

(a) To be eligible for HAAAD, the applicant must be 65 years of age or older or must be between 18 and 65 and receiving Social Security Title II disability benefits. Individuals under age 65 who receive disability benefits on behalf of someone other than themselves are ineligible. The applicant shall be able to document his or her age upon request by the Department. The Department shall require that the applicant submit a photocopy of his or her birth certificate or other acceptable proof of age if over 65 years of age.

(b) The following are acceptable proofs of age:

1. Primary proof: The applicant is required to submit a photocopy of one of the following documents:
    - i.-iii. (No change.)
    - iv. Social Security records verifying age, which can be obtained from local Social Security office; or
    - v. Railroad retirement letter, which can be obtained from Railroad Retirement Board.
  2. Secondary proofs: If the applicant cannot supply one of the documents listed in (b)1 above, copies of any two of the following documents are acceptable:
    - i.-iv. (No change.)
    - v. Church record of baptism for age five or after;
    - vi.-xvii. (No change.)
- (c) (No change.)

##### 10:167E-5.2 Income standards

(a) Any single permanent resident of New Jersey who is 65 years of age or older or who is between 18 and 65 and is receiving Social Security Title II disability benefits must have an annual income of less than \$26,655 to be eligible for HAAAD.

(b) Any married permanent resident of New Jersey who is 65 years of age or older or who is between 18 and 65 and is receiving Social Security Title II disability benefits, and his or her spouse, must have a combined annual income of less than \$32,680 to be eligible for HAAAD.

1.-2. (No change.)

(c) All income, from whatever source derived, is considered in determining eligibility for the purpose of HAAAD. Jointly owned income sources will be allocated according to degree of ownership.

1. All income, taxable and nontaxable, is to be included. Examples of possible sources of income, which shall be gross amounts unless otherwise noted, are as follows:

- i.-xvi. (No change.)
- xvii. Annuities, whether contributory, non-contributory, qualified or non-qualified;
- xviii. Retirement benefits including distribution from Individual Retirement Arrangements (IRAs), such as Traditional, Simple, Roth, or Educational, and benefit payments from foreign countries;
- xix. Net business income;
- xx.-xxi. (No change.)
- xxii. Net rental income after expenses.

2. Sources of income which are excluded in considering eligibility for HAAAD are as follows:

- i.- iv. (No change.)
- v. Stipends from the Volunteers in Service to America (VISTA), Foster Grandparents programs, Workforce 55+ program and programs under Title V of the Older Americans Act of 1965;
- vi. (No change.)
- Recodify existing viii.-x. as vii.-ix. (No change in text.)
- x. Proceeds received by the beneficiary of a special needs trust as described in N.J.A.C. 10:167-2.2;
- xi. Rollovers from one tax deferred financial instrument, such as pension, annuity, IRA, insurance contract or other retirement benefits, to another tax deferred financial instrument;
- xii. (No change in text.)
- xiii. An insurance policyholder's original contributions if demutualization of the policy occurs and, in that case, only the earnings on the policy would be counted.

(d) The applicant must be able to document the amounts reported upon request by the Department, and will be required to submit photocopies of his or her Federal, State and city income tax return and other acceptable evidence.

(e)-(h) (No change.)

(i) The income eligibility limits shall increase annually on January 1 by the amount of the maximum Social Security benefit cost-of-living adjustment for that year for single and married persons, respectively, in accordance with 42 U.S.C. § 415(i)(2)(D), incorporated herein by reference. The Commissioner shall publish the new income limits annually in the New Jersey Register.

##### 10:167E-5.7 Eligibility period

A person eligible for HAAAD is entitled to receive a payment of up to \$100.00 in a calendar year. Only one benefit may be issued in the period between January 1 and December 31 of any year.

##### 10:167E-5.9 Appeal process

(a) When PAAD determines that an applicant is ineligible for HAAAD benefits, the applicant has the right to appeal the decision by submitting a written request for a fair hearing to Pharmaceutical Assistance to the Aged and Disabled, Department of Human Services, PO Box 715, Trenton, New Jersey 08625-0715, within 30 calendar days from the date of mailing of the notice of ineligibility. The document must clearly state the valid basis for such a request.

(b) PAAD shall forward the hearing request to the Office of Administrative Law, which will schedule the hearing and notify all parties of the date, time, and location.

(c) The petitioner shall have the burden of demonstrating that PAAD's determination deviates from the requirements and standards of the regulations and statute.

(a)

#### DIVISION OF FAMILY DEVELOPMENT

#### Notice of Administrative Changes Income Eligibility and Co-Payment Schedules for Subsidized Child Care Assistance or Services N.J.A.C. 10:15 Appendix

**Take notice** that, in accordance with N.J.A.C. 10:15-9.1(b), the Department of Human Services announces that the following income eligibility and co-payment schedules for subsidized child care assistance or services are effective as of March 1, 2017. The co-payment amounts are to be utilized in all Child Care and Special Initiatives Programs when new child care supports and/or agreements are generated for periods of service on or after March 1, 2017. The schedules are set forth in the chapter Appendix.

**Full text** of the changed rule follows:

(Agency Note: The text of N.J.A.C. 10:15 Appendix showing changes to the schedules through boldfaced and bracketed text could not

be reproduced in the New Jersey Register. Therefore, the Appendix below is intended to replace the current Appendix, and incorporates all of the administrative changes pursuant to N.J.A.C. 10:15-9.1(b).

Table with columns: State of New Jersey, DEPARTMENT OF HUMAN SERVICES, CLIENT INCOME ELIGIBILITY and CO-PAYMENT SCHEDULE for SUBSIDIZED CHILD CARE ASSISTANCE or SERVICES. It features a grid of income levels categorized by family size (A, B, C, D) and care type (Full-Time, Part-Time) with weekly co-payment amounts.

EXPLANATION: Children who are under the child protective service (CPS) supervision of the State lead agency are eligible to receive subsidized assistance or services whenever child care is required as part of a case treatment plan. If family income exceeds the income eligibility level, services may be provided without regard to income and the co-payment is assessed based upon the highest amount indicated in the appropriate child care co-payment scale for the size of the family. For children who are in paid foster placement, the co-payment is assessed based upon the income of the child. In most cases, the child has no income, the amount of child care co-payment is assessed always \$0. For CPS children who are residing with a related caregiver, para-foster care provider or in their own home with their parents, the co-payment is assessed on the basis of family size and income. If it has been determined that payment of the full co-payment amount will cause undue hardship to the CPS family or place the child, the siblings or the protective service case plan in jeopardy, the CPS Case Manager may reduce or waive the co-payment on a case-by-case basis. A Tier A: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be at or below 150% of the current Federal Poverty Level (FPL). A Tier B: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 151% and 175% of the current FPL. A Tier C: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 176% and 200% of the current FPL. A Tier D: A child who has been redetermined eligible on the basis of the annual gross income of the family, which must be between 201% and 250% of the current FPL. Full time care is defined as six (6) or more hours of care per day. Part-time care is defined as less than six (6) hours of care per day.

2017-2018  
Effective March 1, 2017

State of New Jersey  
DEPARTMENT OF HUMAN SERVICES  
CLIENT INCOME ELIGIBILITY and  
CO-PAYMENT SCHEDULE for  
SUBSIDIZED CHILD CARE ASSISTANCE or SERVICES

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Table with columns for Full-Time Child Care (Weekly/Monthly Co-Payment), Part-Time Child Care (Weekly/Monthly Co-Payment), Percent of 2017 Federal Poverty Index, and Family Size and Annual Income (Income Levels 5, 6, 7, 8). Rows are categorized by A, B, C, and D.

EXCEPTIONS: Children who are under the child protective service (CPS) supervision of the State lead agency are eligible to receive subsidized assistance or services whenever child care is required as part of a case treatment plan. If family income exceeds the income eligibility level, services may be provided without regard to income and the co-payment is assessed based upon the highest amount indicated in the appropriate child care co-payment scale for the size of the family. For children who are in paid foster placement, the co-payment is assessed based on the income of the child.

Since in most cases, the child has no income, the assessed child care co-payment is almost always \$0.  
For CPS children who are residing with a related caregiver, non-foster care provider or in their own home with their parents, the co-payment is assessed on the basis of family size and income. If it has been determined that payment of the full co-payment amount will cause undue hardship to the CPS family or place the child, the siblings or the protective service case plan in jeopardy, the CPS Case Manager may reduce or waive the co-payment on a case-by-case basis.

- A: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be at or below 150% of the current Federal Poverty Level (FPL).
B: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 151% and 175% of the current FPL.
C: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 176% and 200% of the current FPL.
D: A child who has been redetermined eligible on the basis of the annual gross income of the family, which must be between 201% and 250% of the current FPL.

Full-time care is defined as six (6) or more hours of care per day.
Part-time care is defined as less than six (6) hours of care per day.

State of New Jersey
DEPARTMENT OF HUMAN SERVICES
CHILD INCOME ELIGIBILITY and
CO-PAYMENT SCHEDULE for
SUBSIDIZED CHILD CARE ASSISTANCE or SERVICES

2017-2018
Effective: March 1, 2017



Table with columns for Full-Time Child Care (Weekly/Monthly Co-Payment), Part-Time Child Care (Weekly/Monthly Co-Payment), Percent of 2017 Federal Poverty Index, and Family Size and Annual Income (Income Levels 9-12).

EXCEPTIONS: Children who are under the child protective service (CPS) supervision of the State lead agency are eligible to receive subsidized assistance or services whenever child care is required as part of a case management plan. If family income exceeds the income eligibility level, services may be provided without regard to income and the co-payment is assessed based upon the highest amount indicated in the appropriate child care co-payment scale for the size of the family.

For CPS children who are residing with a related caregiver, para-foster care provider or in their own home with their parents, the co-payment is assessed on the basis of family size and income. If it has been determined that payment of the full co-payment amount will cause undue hardship to the CPS family or place the child, the siblings or the protective services case plan in jeopardy, the CPS Case Manager may reduce or waive the co-payment on a case-by-case basis.

- A Tier A: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be at or below 150% of the current Federal Poverty Level (FPL).
B Tier B: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 151% and 175% of the current FPL.
C Tier C: A child who has been initially determined eligible on the basis of the annual gross income of the family, which must be between 176% and 200% of the current FPL.
D Tier D: A child who has been redetermined eligible on the basis of the annual gross income of the family, which must be between 201% and 250% of the current FPL.

Full-time care is defined as six (6) or more hours of care per day.
Part-time care is defined as less than six (6) hours of care per day.

