

be a citizen of the United States to be eligible for the Lifeline Programs and sets forth the requirements for documenting Social Security Title II disability status. The subchapter provides the utility information that must be documented to the Department to qualify for the Lifeline Credit Program, as well as the requirement that the name and address of a beneficiary’s landlord be provided to the Department in order to qualify for the Tenants Lifeline Assistance Program. The subchapter sets forth eligibility applications, including how the Department disseminates applications, which application forms must be completed by applicants, and provides that the Department determines eligibility from completed applications. It requires applicants to provide a Social Security Account Number (SSAN) to the Department, and establishes that in cases where an applicant does not have an SSAN, they will be assigned a unique identifying number by the Department. It provides that no application will be processed unless the applicant certifies that their application is accurate by signing and dating the certification, and indicates that by signing the certification and authorization statement on the application, the applicant authorizes the Department to verify any information on the application and agrees to visitation and review by representatives of the Department. The subchapter provides that the Lifeline Credit shall be applied to the beneficiary’s utility account and remain there until it is used or the account is terminated. Lastly, the subchapter provides that an applicant may request a hearing in the Office of Administrative Law when the Department determines that an applicant is ineligible and describes the appeal process.

Subchapter 5, Recoveries, defines benefits incorrectly paid and specifies the types of action that may be taken by the Department to recover payments or credits paid to an ineligible beneficiary, specifies certain rights and obligations of public utilities with regard to benefits illegally obtained, as well as provides that applicants and beneficiaries may contest eligibility determinations and recoveries through the Office of Administrative Law.

The chapter appendix includes the Tenant Verification form for PAAD, Lifeline, and Special Benefits Programs.

While the Department is readopting these rules, it recognizes that further rulemaking may be necessary to update these rules to reflect current practices. Thus, the Department will continue to review the rules and may consider making substantive amendments prior to the next scheduled expiration.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:167D is readopted and shall continue in effect for seven years.

(a)

**DIVISION OF AGING SERVICES**

**Notice of Readoption  
Hearing Aid Assistance to the Aged and Disabled  
Readoption: N.J.A.C. 10:167E**

Authority: N.J.S.A. 30:4D-41, 52:14C-1 et seq., and 52:14D-1 et seq.; and Reorganization Plan No. 001-1996.

Authorized By: Sarah Adelman, Commissioner, Department of Human Services.

Effective Date: July 2, 2024.

New Expiration Date: July 2, 2031.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 10:167E were scheduled to expire on August 18, 2024. N.J.A.C. 10:167E establishes the rules governing Hearing Aid Assistance to the Aged and Disabled (HAAAD).

The following is a summary of the subchapters at N.J.A.C. 10:167E:

Subchapter 1, General Provisions, sets forth the purpose and intent of the chapter, the scope of service, the target population, and the legal authority.

Subchapter 2, Definitions, provides the definitions of terms used in the chapter as they pertain to HAAAD, as well as the requirements that must be met for establishing a special needs trust.

Subchapter 3, Administrative Organization, addresses the designation of the Department of Human Services (the Department) as the controlling administrative unit over HAAAD, as well as establishing PAAD as the unit responsible for processing eligibility applications and authorizing HAAAD benefit payments, the requirement of the Commissioner to establish operating policies to expedite application processing and ensure compliance with program standards, as well as establishes the Division of Medical Assistance and Health Services (DMAHS) as the Division responsible for investigating matters of potential fraud or abuse.

Subchapter 4, Application Process, sets forth the process to apply for HAAAD, including general provisions, the recognition of authorized agents, the responsibilities of the PAAD unit, as well as the responsibilities of the applicant and subsequent beneficiary.

Subchapter 5, Eligibility Requirements, establishes eligibility standards, dictates acceptable forms of primary and secondary proofs of age, provides income standards and which sources of income are included and excluded when considering eligibility, provides citizenship and residence requirements, establishes HAAAD as the payer of last resort, requires the applicant to certify and authorize the application, sets forth the eligibility period, details how recoveries are made when benefits are incorrectly paid, and establishes the appeal process when PAAD determines that an applicant is ineligible for HAAAD benefits.

While the Department is readopting these rules, it recognizes that further rulemaking may be necessary to update these rules to reflect current practices. Thus, the Department will continue to review the rules and may consider making substantive amendments prior to the next scheduled expiration.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 10:167E is readopted and shall continue in effect for seven years.

(b)

**DIVISION OF FAMILY DEVELOPMENT  
Notice of Administrative Change  
Social Services Programs—Personal Needs  
Allowance**

**N.J.A.C. 10:123-3.4**

Effective Date: July 2, 2024.

**Take notice** that, the Division of Family Development (Division) is changing the rate of the personal needs allowance reserved by the owner or operator for Supplemental Security Income (SSI) recipients and Work First New Jersey/General Assistance (WFNJ/GA) recipients living in residential health care facilities or boarding homes. The personal needs allowance is used to purchase personal items that may include clothing, hygiene items, reading materials, or other items that are not provided by the facility in which an individual resides. The personal needs allowance amounts are determined using a calculation at N.J.A.C. 10:123 that is tied to the SSI Federal benefit rate, which is adjusted annually according to the Federal cost-of-living increase.

SSI Federal benefit rates are impacted by a recipient’s living arrangement. The Social Security Administration (SSA) uses four living arrangement categories when determining payment amounts. Residential health care facilities and boarding homes are different living arrangement categories, resulting in differing SSI benefits and personal needs allowances.

The rates being changed in this notice impact recipients living in boarding homes and residential health care facilities. The rule is being changed to reflect that a personal needs allowance in the amount of at least \$142.00 per month will be reserved for recipients living in boarding homes. The personal need allowance reserved for recipients living in residential health care facilities is being amended to at least \$155.00,