



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

D.M.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

& HEALTH SERVICES &

SOMERSET COUNTY BOARD OF

SOCIAL SERVICES,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 8733-2017

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Respondent filed exceptions in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is August 31, 2017, in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or

modify the Initial Decision within 45 days of receipt. The Initial Decision in this matter was received on July 17, 2017.

Petitioner was denied Medicaid benefits through a letter issued in May 2017. Somerset County contends Petitioner was ineligible for NJ FamilyCare because his income exceeded the limit.

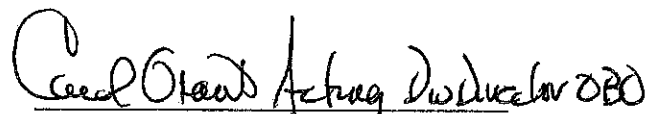
The Initial Decision reversed the denial and found Petitioner eligible under the Affordable Care Act (ACA) Medicaid expansion. The regulations for this program establish a new method for counting income based upon an applicant's Modified Adjusted Gross Income (MAGI). The countable income for MAGI is gross income according to the Internal Revenue Service Code. See 42 CFR § 435.603. Since MAGI methodology is based on the Internal Revenue Code, household compositions are identified as either tax filing or non-tax filing, with corresponding regulations governing each. 42 CFR § 435.603(f). It appears, based on the record, that Petitioner and his daughter meet the income standard based on tax filing rules.

Based on my review of the record and the correct law, I FIND that Petitioner was incorrectly denied benefits when Somerset County added Petitioner's Schedule C deductions back into his income. Thus, I ADOPT the Initial Decision.

THEREFORE, it is on this ^{17th} day of AUGUST 2017,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services