




the Administrative Law Judge in its entirety and incorporate the same herein by reference. By way of background, as of December 1, 2014, New Jersey received federal authority to cease covering nursing home services under Medically Needy and permit applicants, who needed institutional level of care in a nursing facility, an Assisted Living facility or home and had income in excess of \$2,163 (\$2,313 in 2019) to place the excess income in a Qualified Income Trust (QIT), also known as a Miller Trust, and obtain Medicaid benefits. See 42 U.S.C. § 1396p(d)(4)(B). Petitioner's monthly income of \$2,334.67 rendered her ineligible until a QIT was established. By placing the excess income in a QIT, SCBSS was able to exclude that amount from the income limit. However, it is undisputed that while Petitioner established a QIT in June 2019, it was not fully funded until July 2019.

Based on my review of the record and for the reasons set forth above, I concur with the Initial Decision's conclusion that SCBSS correctly determined that Petitioner was eligible for Medicaid effective July 1, 2019 and PEME was correctly authorized for April, May and June 2019.

THEREFORE, it is on this <sup>7th</sup> day of MAY 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.

  
Jennifer Langer Jacobs, Assistant Commissioner  
Division of Medical Assistance  
and Health Services