

The matter arises regarding the denial of Petitioner's April 2019 application for Medicaid. Petitioner only reported Social Security income of \$1,406.60. This income renders Petitioner ineligible for benefits. In May 2019, Petitioner's Designated Authorized Representative (DAR) Leon Howard, stated that Petitioner worked at the partial care facility where he was receiving treatment. He was being paid \$9.00 an hour for one hour a week as a maintenance worker. He is paid in cash and does not file taxes. The treatment center does not make any tax withholding nor is Petitioner issued a 1099 form.

Under NJ WorkAbility, individuals who are disabled but are employed can seek Medicaid benefits under special rules. N.J.A.C. 10:140-1.1 et seq. If the individual has net earnings of at least \$400 a year, the income from Social Security can be disregarded in determining eligibility. N.J.A.C. 10:72-9.4(c)(4). Here Petitioner's Social Security benefit renders him eligible. However, if that income is disregarded, his countable income would be \$9.00 he earns weekly. This amount would make him eligible for Medicaid.

Base on my review of the record and the applicable law, I concur that Petitioner's reported income as an employee of the partial care treatment center that he attends permits his Social Security income to be disregarded. As such I hereby ADOPT the Initial Decision.

THEREFORE, it is on this ^{4th} day of MARCH 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.


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