



State of New Jersey

**DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES**

SAUL M. KILSTEIN
DIRECTOR

QUAKERBRIDGE PLAZA
CN 712
TRENTON, NEW JERSEY 08625-0712

MEDICAID COMMUNICATION NO: 91-11

DATE: March 27, 1991

TO: County Welfare Agency Directors

SUBJECT: New Jersey Care...Special Medicaid Programs Expansion - Pregnant Women and Children

The Omnibus Budget Reconciliation Act of 1989 provided for an expansion of eligibility affecting pregnant women and children. This coverage, which is effective in New Jersey beginning April 1, 1991, extends New Jersey Care eligibility to pregnant women and children up to the age of 6 with family income equal to or less than 133 percent of the federal poverty guideline. *It is important to note that there is no change in New Jersey Care coverage for the aged, blind, and disabled. Eligibility for those persons remains based on 100 percent of the federal poverty guideline.*

Attached are regulatory changes to the New Jersey Care...Special Medicaid Programs Manual in Office of Administrative Law format that are fully expected to be accepted as an emergency adoption and concurrent proposal. Should this material not be adopted, your agencies will be immediately notified. In the meantime, county welfare agencies shall begin using the new rules in eligibility processing for pregnant women and children up to the age of six.

Aside from the increased income standard and the increased age cut-off, there is no change in the eligibility determination process. As with the previous rules, an eligible pregnant woman remains eligible for Medicaid benefits regardless of changes in her income. For both pregnant women and children under the age of six, eligibility is determined without regard to the family's resources.

In order to accommodate a requirement of the State Office of Management and Budget that we be able to track expenditures incurred as a result of this program expansion, new Program Status Codes (PSC) have been assigned for those individuals who are eligible solely as a result of this program expansion. The new PSCs are 481 and 491 for pregnant women and children respectively. Thus PSCs will be assigned to New Jersey Care pregnant women and children as follows:

Program Status Code	Age/Pregnancy	Income Criteria
480	Child under age 2	Equal to or less than 100% of poverty
490	Pregnant woman	Equal to or less than 100% of poverty
481	Child under age 2	Between 100% and 133% of poverty
	Child age 2 to 6	Between the AFDC income standard and 133% of poverty
491	Pregnant woman	Between 100% and 133% of poverty

County welfare agencies shall immediately begin accepting applications for this expansion. They should also begin reviewing their caseload to ascertain if any additional children currently not receiving New Jersey Care benefits may be included under the expanded age criteria. Special emphasis should be placed on children who have recently "aged out" of New Jersey Care eligibility. Counties are also urged to review recent application denials on the basis of excess income to determine if the individuals would be eligible under the new income limit.

You are advised that there is no retroactive eligibility available under the expanded eligibility provisions for any period earlier than April 1, 1991.

Please refer any questions relating to this communication to the field service staff assigned to your county.

Sincerely,



Saul M. Kilstein
Director

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Attachments

cc: Marion E. Reitz
Division of Economic Assistance

Nicholas Scalera, Acting Director
Division of Youth and Family Services

New Jersey Care Income Limits Pregnant Women and Children	
Household Size	Income Limit
1	\$733
2	984
3	1,234
4	1,485
5	1,735
6	1,986
7	2,236
8	2,486
9	2,736
10	2,986
each additional	+ 250

Full text of the proposal follows (additions indicated in underline thus; deletions in brackets [thus]):

SUBCHAPTER 1. INTRODUCTION

10:72-1.1 Program scope

- (a) This chapter contains the criteria for Medicaid eligibility for certain pregnant women and children not eligible under the provisions of N.J.A.C. 10:81 and 82, as well as, certain aged, blind, and disabled persons not eligible under the provisions of N.J.A.C. 10:71. [The provisions of this chapter relating to pregnant women and children are effective July 1, 1987. The provisions of this chapter relating to the aged, blind, and disabled are effective October 1, 1987.]
 - (1. and 2. No change)
- (b) Medicaid eligibility under the provisions of this chapter is limited to:
 - 1. Pregnant women; and
 - 2. Children under the age of six years. [of the following ages (see N.J.A.C.10:72-3.4(a)4 and 5 for protected eligibility for children reaching the age limits):
 - i. Through September 30, 1987, children under the age of one year; and
 - ii. Effective October 1, 1987, children under the age of two years.]
 - 3. [Effective October 1, 1987,] [a]Aged, blind, and disabled individuals (as defined by Title XIX of the Social Security Act). For purposes of this chapter, an aged individual is a person who is 65 years of age or older.
- (c) Retroactive Medicaid eligibility is available beginning with the third month prior to the month of application for Medicaid for any month during which the applicant meets all eligibility criteria and during which the applicant has unpaid medical expenses for covered services. In order to qualify for retroactive coverage, an individual need not be determined eligible at the time of application for Medicaid benefits. Application for retroactive Medicaid coverage may be made on behalf of a

deceased person so long as the person was alive during a portion of the three month period immediately prior to the month of application and he or she has unpaid medical expenses for Medicaid covered services.

- i. Retroactive Medicaid coverage is not available under the provisions of this chapter for [pregnant women and children for any period prior to July 1, 1987 and for aged, blind, and disabled individuals for any period prior to October 1, 1987.] children aged 2 through 5 whose family's income exceeds the AFDC income standard (see N.J.A.C. 10:82-1.2(c)) or for pregnant women and children under the age of two whose family's income exceeds 100 of the poverty level for any period prior to April 1, 1991.

SUBCHAPTER 3. NONFINANCIAL ELIGIBILITY FACTORS

10:72-3.4 Eligible persons

- (a) The following persons who meet all eligibility criteria of this chapter are eligible for Medicaid benefits:
 1. (No change.)
 2. Children under the age six years. [of the following ages:
 - i. Through September 30, 1987, children under the age of one year; and
 - ii. Effective October 1, 1987, children under the age of two years;]
 3. (No change.)
 - [4. A child under the age of one year for whom application is made and who is eligible prior to October 1, 1987 and before his or her first birthday will be deemed to meet the age requirement until October 1, 1987.]
 - [5] 4. (No change in text.)
 - [6] 5. (No change in text.)
 - [7] 6. (No change in text.)
 - [8] 7. (No change in text.)

SUBCHAPTER 4. FINANCIAL ELIGIBILITY

10:72-4.1 Income eligibility limits

- (a) Income limits for Medicaid for aged, blind, and disabled persons covered under the provisions of this chapter will be based on 100 percent of the poverty income guidelines as defined by the U.S. Department of Health and Human Services in accordance with sections 652 and 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub.L. 97-35). The monthly income standard will be one-twelfth of the annual poverty income guideline rounded down to the next whole dollar amount for [each] household unit sizes of one and two. The annual revision to the federal poverty income guideline will be effective for purposes of this [chapter] section with the first [month beginning 30 days after publication of the poverty line in the Federal Register by the Department of Health and Human Services] day of the year for which the poverty income guideline is promulgated.
- (b) Income limits for pregnant women and children covered under the provisions of this chapter shall be based on 133 percent of the poverty income guideline as defined by the Department of Health and Human Services in accordance with sections 652 and 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub.L. 97-35). The monthly income standard will be one-twelfth of 133 percent of the annual poverty income guideline rounded down to the next whole dollar amount for each household size. The annual revision to the federal poverty income guideline will be effective for purposes of this section will be the first day of the year for which the poverty income guideline is promulgated.
- [[b] c) In order to be eligible for Medicaid benefits under the provisions of this chapter, monthly household income (as determined by this chapter) must be equal to or less than the income limit established in (a) or (b) above as applicable.
1. (No change.)
 2. With the exception in [[b)] (c)1 above, income eligibility exists for each month in which the household unit's income is equal to or less than the income limits.

10:72-4.3 Countable income; pregnant women and [infants] children

- (a) Except as specified below, countable income for [persons] pregnant women and children under the provisions of this chapter shall be determined in accordance with regulations applicable to income in the AFDC-C program (see N.J.A.C. 10:82).

1.-4. (No change.)

- (b)-(d) (No change.)

10:72-4.5 Resource eligibility

- (a) Pregnant women and [infants] children seeking Medicaid benefits under the provisions of this chapter are eligible without regard to the value of the household unit's resources. The county welfare agency shall inquire about the household unit's resources only in order to establish income that may result from the household unit's resources.

- (b) (No change.)