

ASSEMBLY, No. 5311

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 13, 2019

Sponsored by:

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District 2 (Atlantic)

Assemblyman ANDREW ZWICKER

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District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

Establishes \$140 standard medical expense deduction under SNAP for certain senior citizens.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning income eligibility under the New Jersey
2 Supplemental Nutrition Assistance Program for certain senior
3 citizens and supplementing Title 44 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. The Division of Family Development in the
9 Department of Human Services shall implement a standard medical
10 expense deduction for the purposes of determining income eligibility
11 under the New Jersey Supplemental Nutrition Assistance Program
12 for any household which includes a senior citizen, as follows:

13 (1) For fiscal year 2020, a household which includes a senior
14 citizen shall be entitled to the standard medical expense deduction
15 of \$140 for each month, provided that the amount of actual costs of
16 allowable medical expenses incurred by the senior citizen for a
17 month, exclusive of special diets, is: equal to or greater than \$35;
18 and does not include any expenses paid on behalf of the household
19 by a third party. If the amount of actual costs of allowable medical
20 expenses incurred by the senior citizen for a month, exclusive of
21 special diets, is greater than the sum of the standard medical
22 deduction and \$35, then the medical expense deduction shall equal
23 the amount of those actual costs.

24 (2) For fiscal year 2021 and each subsequent fiscal year, the
25 provisions established in paragraph (1) of this subsection shall
26 apply, except that the standard medical expense deduction shall
27 equal the applicable amount during the preceding fiscal year, as
28 adjusted to reflect changes for the 12-month period ending the
29 preceding June 30 in the Consumer Price Index for All Urban
30 Consumers: Medical Care published by the Bureau of Labor
31 Statistics within the United States Department of Labor.

32 b. The Commissioner of Human Services shall apply to the
33 Food and Nutrition Service within the United States Department of
34 Agriculture for any necessary waivers or approvals to implement a
35 standard medical expense deduction, pursuant to subsection a. of
36 this section 1, under the New Jersey Supplemental Nutrition
37 Assistance Program.

38 c. As used in this act:

39 "Allowable medical expenses" means an allowable medical
40 expense as defined in 7 U.S.C.s.2012(c).

41 "Senior citizen" means an individual who is 60 years of age or
42 older by the last day of the month in which the application for New
43 Jersey Supplemental Nutrition Assistance Program benefits is
44 submitted.

45 "Supplemental Nutrition Assistance Program" means the
46 supplemental nutrition assistance program, established pursuant to
47 the federal "Food and Nutrition Act of 2008," Pub.L.88-525 (7
48 U.S.C.s.2011 et seq.).

1 practitioner or other qualified health professional, (4) health and
2 hospitalization insurance policies, (5) medicare premiums, (6)
3 dentures, hearing aids, and prosthetics, (7) eye glasses prescribed by
4 a physician skilled in eye disease or by an optometrist, (8)
5 reasonable costs of transportation necessary to secure medical
6 treatment or services, and (9) maintaining an attendant, homemaker,
7 home health aide, housekeeper, or child care services due to age,
8 infirmity, or illness.

9 The Commissioner of Human Services is required to apply to the
10 Food and Nutrition Service within in the United States Department
11 of Agriculture for any necessary waivers or approvals to implement
12 a standard medical expense deduction under the NJ SNAP.

13 Currently, NJ SNAP households that include a senior citizen are
14 permitted to deduct unreimbursed medical expenses over \$35 per
15 month from their income in calculating their net income for NJ
16 SNAP purposes to more realistically reflect the income they have
17 available to purchase food. This, in turn, could potentially qualify
18 the household for higher NJ SNAP benefits. While the medical
19 expense deduction plays an important role in ensuring that
20 households with high medical costs receive adequate benefits, it is
21 underutilized. A standard medical deduction can benefit both
22 participants and the division, as it simplifies the process for both
23 parties, and may encourage participants to provide evidence of
24 expenses.