ASSEMBLY, No. 2285 STATE OF NEW JERSEY 219th LEGISLATURE

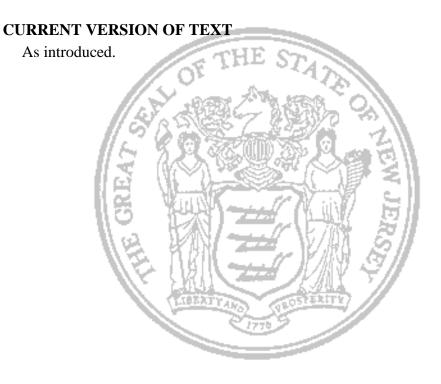
INTRODUCED JANUARY 27, 2020

Sponsored by: Assemblyman JOHN ARMATO District 2 (Atlantic) Assemblywoman VALERIE VAINIERI HUTTLE District 37 (Bergen) Assemblyman DANIEL R. BENSON District 14 (Mercer and Middlesex)

Co-Sponsored by: Assemblywomen Speight, Carter, Assemblymen Chiaravalloti and Johnson

SYNOPSIS

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



(Sponsorship Updated As Of: 8/13/2020)

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

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BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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8 1. a. The Division of Family Development in the Department of 9 Human Services shall implement a standard medical expense 10 deduction for the purposes of determining income eligibility under the 11 New Jersey Supplemental Nutrition Assistance Program for any 12 household which includes a senior citizen, as follows: A household 13 which includes a senior citizen shall be entitled to the standard medical 14 expense deduction in an amount agreed upon by the Department of 15 Human Services and the United States Department of Agriculture, provided that the amount of actual costs of allowable medical expenses 16 17 incurred by the senior citizen for a month, exclusive of special diets, 18 is: equal to or greater than \$35; and does not include any expenses paid on behalf of the household by a third party. If the amount of 19 20 actual costs of allowable medical expenses incurred by the senior citizen for a month, exclusive of special diets, is greater than the 21 22 established standard medical deduction, then the medical expense 23 deduction shall equal the amount of those actual costs.

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

30 c. As used in this act:

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

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

37 "Supplemental Nutrition Assistance Program" means the
38 supplemental nutrition assistance program, established pursuant to the
39 federal "Food and Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C.
40 s.2011 et seq.).

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42 2. The Commissioner of Human Services shall adopt rules and
43 regulations, pursuant to the "Administrative Procedure Act,"
44 P.L.1968, c.410 (C.52:14B-1 et seq.), as may be necessary to
45 implement the provisions of this act.

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47 3. This act shall take effect no later than the beginning of federal48 fiscal year 2021, pending approval by the United States Department of

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Agriculture, but the Commissioner of Human Services may take such
 anticipatory administrative action in advance thereof as may be
 necessary for the implementation of this act.

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STATEMENT

8 This bill establishes a standard medical expense deduction under 9 the New Jersey Supplemental Nutrition Assistance Program (NJ 10 SNAP), formerly known as the Food Stamps Program, for certain 11 senior citizens. Specifically, this bill requires the Division of 12 Family Development in the Department of Human Services to 13 implement a standard medical expense deduction for the purposes 14 of determining income eligibility under the NJ SNAP for any 15 household which includes a senior citizen.

16 Under the bill, a household including a senior citizen, defined as 17 an individual who is 60 years of age or older by the last day of the 18 month in which the application for NJ SNAP benefits is submitted, 19 is to be entitled to a standard medical expense deduction in an 20 amount agreed upon by the Department of Human Services and the 21 United States Department of Agriculture, provided that the amount of actual costs of allowable medical expenses incurred by the senior 22 23 citizen for a month, exclusive of special diets, is: equal to or greater 24 than \$35; and does not include any expenses paid on behalf of the 25 household by a third party. If the amount of actual costs of 26 allowable medical expenses incurred by the senior citizen for a 27 month, exclusive of special diets, is greater than the established standard medical deduction, then the medical expense deduction 28 29 shall equal the amount of those actual costs.

30 Under the bill, allowable medical expenses means an allowable 31 medical expense as defined in 7 U.S.C. s.2012(c), which includes 32 expenditures for (1) medical and dental care, (2) hospitalization or 33 nursing care, (3) prescription drugs when prescribed by a licensed 34 practitioner authorized under State law and over-the-counter 35 medication (including insulin) when approved by a licensed practitioner or other qualified health professional, (4) health and 36 37 hospitalization insurance policies, (5) Medicare premiums, (6) 38 dentures, hearing aids, and prosthetics, (7) eye glasses prescribed by 39 a physician skilled in eye disease or by an optometrist, (8) 40 reasonable costs of transportation necessary to secure medical 41 treatment or services, and (9) maintaining an attendant, homemaker, 42 home health aide, housekeeper, or child care services due to age, 43 infirmity, or illness.

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

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The bill will take effect no later than the beginning of federal 1 fiscal year 2021, pending approval from the United States 2 Department of Agriculture, but the Commissioner of Human 3 Services may take anticipatory administrative action in advance. 4