

SENATE, No. 1049

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JANUARY 30, 2020

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Co-Sponsored by:

Senator Pou

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/27/2020)

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.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 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,
16 provided that the amount of actual costs of allowable medical expenses
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
19 paid on behalf of the household by a third party. If the amount of
20 actual costs of allowable medical expenses incurred by the senior
21 citizen for a month, exclusive of special diets, is greater than the
22 established standard medical deduction, then the medical expense
23 deduction shall equal the amount of those actual costs.

24 b. The Commissioner of Human Services shall apply to the Food
25 and Nutrition Service within the United States Department of
26 Agriculture for any necessary waivers or approvals to implement a
27 standard medical expense deduction, pursuant to subsection a. of this
28 section, under the New Jersey Supplemental Nutrition Assistance
29 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 federal
48 fiscal year 2021, pending approval by the United States Department of

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

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6 **STATEMENT**
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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
22 of actual costs of allowable medical expenses incurred by the senior
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
28 standard medical deduction, then the medical expense deduction
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
36 practitioner or other qualified health professional, (4) health and
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.

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

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