

[First Reprint]

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:

Senators Pou and O'Scanlon

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on June 10, 2021, with amendments.



(Sponsorship Updated As Of: 11/15/2021)

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 Department
 9 of Human Services shall implement a standard medical expense
 10 deduction ¹based on the results of a required cost-benefit analysis in
 11 a manner that has no significant negative impact to other SNAP
 12 households¹ for the purposes of determining income eligibility
 13 under the New Jersey Supplemental Nutrition Assistance Program
 14 for any household which includes ¹**["a senior citizen, as follows:"]** an
 15 elderly or disabled person.

16 b.¹ A household which includes ¹**["a senior citizen"]** an elderly or
 17 disabled person¹ shall be entitled to the standard medical expense
 18 deduction in an amount agreed upon by the Department of Human
 19 Services and the United States Department of Agriculture, provided
 20 that the amount of actual costs of allowable medical expenses
 21 incurred by the ¹**["senior citizen"]** elderly or disabled person¹ for a
 22 month, exclusive of special diets, is ¹**[":"]**¹ equal to or greater than
 23 \$35 ¹**[";"]**¹ and does not include any expenses paid on behalf of the
 24 household by a third party. If the amount of actual costs of
 25 allowable medical expenses incurred by the ¹**["senior citizen"]**
 26 elderly or disabled person¹ for a month, exclusive of special diets,
 27 is greater than the established standard medical deduction, then the
 28 medical expense deduction shall equal the amount of those actual
 29 costs.

30 ¹**["b."]** c. Implementation of the standard medical expense
 31 deduction shall not proceed if the cost-benefit analysis required
 32 pursuant to subsection a. of this section demonstrates that benefits
 33 to other enrollees would need to be decreased to implement the
 34 deduction.

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

41 ¹**["c."]** e.¹ As used in this act:

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

EXPLANATION – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted June 10, 2021.

1 ¹["Senior citizen" means an individual who is 60 years of age or
2 older by the last day of the month in which the application for New
3 Jersey Supplemental Nutrition Assistance Program benefits is
4 submitted] "Elderly or disabled person" means a member of a
5 household as defined in 7 U.S.C. s.2011 et seq.¹ .

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

10

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

15

16 3. This act shall take effect no later than the beginning of
17 federal fiscal year ¹~~["2021"]~~ 2022¹ , pending approval by the United
18 States Department of Agriculture, but the Commissioner of Human
19 Services may take such anticipatory administrative action in
20 advance thereof as may be necessary for the implementation of this
21 act.