



Dear Colleague,

As of early July 2022, the federal public health emergency (PHE), which started in March, 2020 because of the COVID pandemic, is still in effect. Because of the PHE, no one should have received a Medicaid termination notice -- even if the Medicaid beneficiary has more resources than the allowable maximum. However, whenever the PHE ends and Medicaid sends out redetermination paperwork, anyone who has more than the allowable amount of resources is at risk of losing Medicaid. **Therefore, it is important to pay attention now to the amount of resources that Medicaid beneficiaries with intellectual and developmental disabilities (IDD) have, to be certain that the resources (assets) do not exceed the allowable Medicaid limits. Please see below for additional information.**

1. For most individuals with IDD enrolled in New Jersey's Aged, Blind and Disabled (ABD) Medicaid program, the maximum amount of allowable resources is a total of only **\$2,000**. Allowable exceptions are having an ABLE account or a special needs trust (SNT).
2. Enrollment in NJ WorkAbility Medicaid is another exception to the \$2,000 resource limit. The NJ WorkAbility regulations allow individuals with disabilities who are employed part-time or full-time to have up to **\$20,000** in resources. People enrolled in NJ WorkAbility Medicaid are also permitted to have a retirement account (e.g., IRA or 401k).
3. For anyone with IDD who has resources that exceed, or are likely to exceed, the Medicaid resource limits mentioned above, there are a few options:
 - A spend-down for items that are needed for the individual with IDD, such as new computer equipment, therapies that are not otherwise covered, etc. All of the spend-down expenditures should be clearly documented and please keep all receipts.
 - If the Medicaid enrollee has resources that are in excess of the Medicaid maximum amount, then opening an ABLE account may be appropriate (see below for more information on ABLE accounts).
 - If the Medicaid enrollee's resources are higher than the amount that can be deposited into an ABLE account (\$16,000 per year), then a Special Needs Trust (SNT) should be considered. If a special needs trust will be prepared, it is strongly recommended that the parents contact an attorney with extensive experience and a thorough understanding of the Medicaid SNT regulations.
4. ABLE accounts are special, tax-advantaged savings accounts for persons with disabilities. The acronym ABLE stands for "Achieving a Better Life Experience." To be eligible for an ABLE account, the onset of the disability must have occurred before the age of 26. Deposits are limited to a total of \$16,000 per calendar year. Having an ABLE account does not jeopardize one's eligibility for Supplemental Security Income (SSI) or NJ Medicaid. For information on NJ ABLE, see this website: <https://savewithable.com/nj/home.html> Additional information on ABLE accounts is available from the ABLE National Resource Center: www.ablenrc.org The Arc of New Jersey Family Institute has developed a fact sheet, which provides a helpful summary about [ABLE accounts](#).

5. Please note: If there has been a change of address since March, 2020, families of Medicaid enrollees with IDD should be certain that NJ Medicaid has the up-to-date address on file. If you don't know whether Medicaid has the correct mailing address, please contact the NJ FamilyCare/Medicaid call center at **800-701-0710**. If NJ Medicaid does not have your current mailing address, please provide it to them.

Whenever additional information is available pertaining to the ending of the PHE and Medicaid redeterminations, The Arc of New Jersey will distribute it. To receive up-to-date information on Medicaid, SSI, SSDI, and health-related information for individuals with IDD: If you are not already on our listserv, you can sign-up on our website: www.mainstreamingmedicalcare.org

Please share this information with others who may also be interested.

Thank you.

Bev

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