

## CHAPTER 131

AN ACT concerning eligibility for the Pharmaceutical Assistance to 1 the Aged and Disabled program and amending P.L.1975, c.194.

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

1. Section 2 of P.L.1975, c.194 (C.30:4D-21) is amended to read as follows:

C.30:4D-21 Pharmaceutical assistance eligibility.

2. a. Any resident of this State who is either a recipient of disability insurance benefits under Title II of the federal Social Security Act (42 U.S.C. s. 401 et seq.) or 65 years of age and over and whose annual income is less than \$38,769 if single or, if married, whose annual income combined with that of his spouse is less than \$45,270, shall be eligible for "Pharmaceutical Assistance to the Aged and Disabled" if he is not otherwise qualified for assistance under P.L.1968, c.413 (C.30:4D-1 et seq.). Annual income shall not include gain from the sale of a principal residence that is excluded from gross income pursuant to N.J.S.54A:6-9.

b. (1) Except as provided in paragraph (2) of this subsection, beginning January 1, 1996 and annually thereafter, the income eligibility limits provided in subsection a. of this section shall increase by the amount of the maximum Social Security benefit cost-of-living increase for that year for single and married persons, respectively. The commissioner shall adopt the new income limits annually by regulation pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

(2) No cost-of-living increase shall be applied under paragraph (1) of this subsection in calendar year 2022. The cost-of-living increase shall resume beginning January 1, 2023, and the income eligibility limits shall be annually increased thereafter consistent with the requirements of paragraph (1) of this subsection.

2. This act shall take effect on January 1, 2022, but the Commissioner of Human Services may take such anticipatory administrative action in advance as shall be necessary for the implementation of the act.

Approved June 29, 2021.