

2. A school district may file an appeal of their preschool program plan and/or annual update and budget decision with the Commissioner, pursuant to N.J.A.C. 6A:3, Controversies and Disputes. The appeal generally shall proceed as a contested case except as noted in this subchapter.

(b) (No change.)

6A:13A-11.2 Review of pleadings

(a) Upon review of the petition, answer, and supporting documentation, the Commissioner may decide to hear the matter directly pursuant to N.J.S.A. 52:14F-8 or refer the matter to the Office of Administrative Law.

(b) (No change.)

(c) If the Commissioner is hearing the matter directly, the Commissioner shall use the procedures for motions for summary decision set forth at N.J.A.C. 1:1-12.5. In addition, the Commissioner shall promptly notify the parties and provide them the opportunity to submit any additional document(s) previously submitted to, or considered by, the Department in rendering the appealed decision. If the Commissioner determines, upon review of the papers submitted, there are one or more genuine issues of material fact in dispute that can be determined only in an evidentiary proceeding, the Commissioner may transmit the matter to the Office of Administrative Law as a contested case or retain the matter for an evidentiary hearing, pursuant to N.J.S.A. 52:14F-8.

6A:13A-11.3 Commissioner review and decision

(a) If the Commissioner retains the matter, pursuant to N.J.A.C. 6A:13A-11.2, upon receipt of the filings set forth at N.J.A.C. 6A:13A-11.1 and 11.2, or upon expiration of the time to file all submissions, the Commissioner shall review the total record before the Commissioner and render a written decision.

(b) In rendering decisions pursuant to this chapter, the Commissioner shall apply the standards set forth for Department review in the operative rules for the type of application in dispute. The burden of proof shall be on the petitioning party to demonstrate the standards were met by the applicant notwithstanding the Department’s determination to the contrary. The record on appeal shall consist of documents and information

submitted to the Department in support of the application and any additional information relied upon by the Department in making the determination at issue.

HUMAN SERVICES

(a)

DIVISION OF DISABILITY SERVICES

**Notice of Administrative Changes
Consumer Cost Share Obligation Table**

N.J.A.C. 10:140-4.3

Effective Date: July 22, 2022.

Take notice that, in accordance with N.J.A.C. 10:140-4.3(j), the Department of Human Services (Department) announces an updated Consumer Cost Share Obligation Table for 2022. The table is required to be established pursuant to P.L. 1987, c. 350 (N.J.S.A. 30:4G-19). The law also requires that the table be updated annually.

SUBCHAPTER 4. INDIVIDUAL BUDGETS AND FEES

10:140-4.3 Consumer cost share obligation fees and requirements

(a)-(i) (No change.)

(j) The table below shall be updated annually in accordance with the change in the Federal Poverty Level (FPL) as published by the U.S. Department of Labor. The amounts of the cost share obligations will be revised annually by a notice of administrative change published in the New Jersey Register; however, any change in the “income increment” or in the applicable percentage of the cost share obligation as listed in the table below shall be promulgated through rulemaking pursuant to the Administrative Procedure Act, N.J.S.A 52:14B-1 et seq.

Consumer Cost Share Obligation Table CY2022 (FY2023)

Table with 49 columns and 100 rows. Columns include Family Size (1-4), Federal Poverty Level, Income Increment, Cost Share Percentage, and Range for each family size. Rows correspond to family sizes from 1 to 100.

* Data from Federal Register January 12, 2022