

## State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Medical Assistance and Health

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Governor

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JENNIFER LANGER JACOBS Assistant Commissioner

## STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

B.D.,	:
PETITIONER,	: ADMINISTRATIVE ACTION
V.	FINAL AGENCY DECISION
HORIZON NJ HEALTH,	: OAL DKT. NO. HMA 10393-2023
RESPONDENT.	

As Assistant Commissioner of the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Office of Administrative Law (OAL) case file and the Initial Decision approving the Settlement Agreement reached by the parties. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is February 2, 2024, in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on December 19, 2023.

This matter arises from the denial of Petitioner's private duty nursing (PDN) hours. By way of settlement, the parties agreed to resolve the issues surrounding the PDN hours, withdrawing the request for a fair hearing.

In the Initial Decision, dated December 19, 2023, the Administrative Law Judge (ALJ) approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy, and was voluntarily entered into by both parties in accordance with N.J.A.C. 1:11-19.1.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Settlement Agreement.

THEREFORE, it is on this 17th day of JANUARY 2024,

ORDERED:

That the Initial Decision affirming the Settlement Agreement in this matter is hereby ADOPTED.

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Jennifer Langer Jacobs, Assistant Commissioner Division of Medical Assistance and Health Services