

State of New Hersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES P.O. Box 712

CHRIS CHRISTIE Governor

Trenton, NJ 08625-0712

ELIZABETH CONNOLLY Acting Commissioner

Director

KIM GUADAGNO Lt. Governor

MEGHAN DAVEY STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES **DIVISION OF MEDICAL ASSISTANCE** AND HEALTH SERVICES

F.S.,

PETITIONER.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

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OAL DKT. NO. HMA 02934-17

HORIZON NJ HEALTH,

RESPONDENT.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Agency Decision is June 9, 2017 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 April 25, 2017.

This appeal stems from Horizon NJ Health's denial of Petitioner's request for an increase in Personal Care Assistant (PCA) service hours. However, by Settlement Agreement filed with the Office of Administrative Law, the parties

agreed to amicably resolve this controversy whereby Horizon agreed to provide 46 hours of PCA services per week.

The 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. 1:1-19.1.

I agree with the ALJ's conclusions regarding the Settlement Agreement and ADOPT the Initial Decision as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this day of May 2017,

ORDERED:

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

Meghan Davey, Director

Division of Medical Assistance and Health Services