



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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MEGHAN DAVEY
Director

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

S.G.,

PETITIONER,

v.

AMERIGROUP,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 09257-17

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, the contents of the OAL case file and Petitioner's exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is November 24, 2017 pursuant to an Order of Extension.


Based upon my review of the record, I hereby ADOPT the Initial Decision reducing Petitioner's Personal Care Assistant ("PCA") service hours from 10 hours to 3 hours per week. I agree with the ALJ that Petitioner requires minimal assistance with personal hygiene and dressing. I also agree that meal

preparation and other instrumental activities of daily living (IADLs) are not included in Petitioner's PCA assessment as they are ordinary parental responsibilities. If the necessary personal care needs can be addressed within 3 hours per week, any additional hours would only be used for supervision which is not an authorized use of the service. See N.J.A.C. 10:60-3.8(c). This would be contrary to the purpose of the PCA program, which is intended to provide medically necessary assistance with specific health related tasks.

THEREFORE, it is on this 24th day of October 2017,

ORDERED:

That the Initial Decision reducing PCA hours to 3 hours per week is hereby ADOPTED as the Final Decision.


Meghan Davey, Director
Division of Medical Assistance
and Health Services