

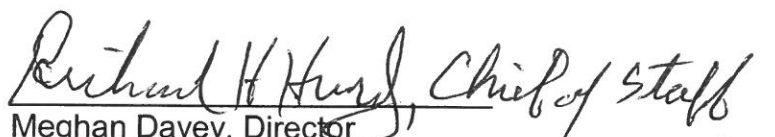


Based upon my review of the record, I hereby ADOPT the recommended decision of the Administrative Law Judge in its entirety and incorporate the same herein by reference. This matter arises from the Division of Aging Services, Office of Community Choice Options (OCCO) January 28, 2019 determination that Petitioner was no longer clinically eligible for Nursing Facility Level of Care pursuant to N.J.A.C. 8:85-2.1. Eligibility for nursing facility services is determined by the professional staff designated by the Department based on a comprehensive needs assessment that demonstrates that the beneficiary requires nursing home level of care. N.J.A.C. 8:85-2.1. The credible evidence in the record indicates that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for Nursing Facility Level of Care. Petitioner may request a reassessment should his condition change.

THEREFORE, it is on this 5<sup>th</sup> day of JUNE 2019,

ORDERED:

That the Initial Decision affirming the termination of clinical eligibility for nursing level of care is hereby ADOPTED.

  
Richard H. Hurd, Chief of Staff  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services  
OBO Meghan Davey