



**State of New Jersey**

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

SARAH ADELMAN  
*Acting Commissioner*

JENNIFER LANGER JACOBS  
*Assistant Commissioner*

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

<b>B.S.,</b>	:	
	:	
<b>PETITIONER,</b>	:	<b>ADMINISTRATIVE ACTION</b>
	:	
<b>v.</b>	:	<b>FINAL AGENCY DECISION</b>
	:	
<b>UNITED HEALTHCARE</b>	:	<b>OAL DKT. NO. HMA 07478-21</b>
	:	
<b>RESPONDENTS.</b>	:	

As Assistant Commissioner of the Division of Medical Assistance and Health Services, 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 render a Final Agency Decision is December 9, 2021 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 the agency's receipt. The Initial Decision was received on October 25, 2021.

This matter arises from United Healthcare's (United) August 13, 2021 reduction of Petitioner's Private Duty Nursing (PDN) services. On October 11, 2021 United agreed to authorize eight hours of PDN services per day, seven days per week from October 24, 2021 through November 24, 2021. Thereafter, Petitioner would receive four hours of PDN services

per day, seven days per week until December 31, 2021. Beginning January 1, 2022, Petitioner's PDN services would cease. Petitioner agreed to withdraw his fair hearing request seeking a reversal of United Healthcare's August 13, 2021 determination.

The Administrative Law Judge 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.

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 8th day of DECEMBER 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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