

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 Trenton, NJ 08625-0712

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.W.,

PETITIONER,	: ADMINISTRATIVE ACTION
	:
V.	: FINAL AGENCY DECISION
	:
AMERIGROUP,	: OAL DKT. No. HMA 09489-202
RESPONDENT.	

:

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 June 17, 2021 in accordance with an Order of Extension.

This matter concerns the reduction of Petitioner's Private Duty Nursing (PDN) hours.¹ The Administrative Law Judge (ALJ) oversaw settlement negotiations in this matter, and the parties agreed to resolve the issues surrounding the PDN hours, withdrawing the request of

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

¹ The Initial Decision states that the appeal in this matter deals with the reduction of Petitioner's personal care assistance (PCA) hours. However, this appears to be a mistake, as it was the reduction of Petitioner's PDN hours that was appealed.

a fair hearing.

In the Initial Decision dated March 12, 2021, 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. 1:11-19.1.

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 10th day of JUNE 2021,

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