

Administrative Law Judge (ALJ) in their entirety and incorporate the same herein by reference.

PCA services are non-emergency, health related tasks to help individuals with activities of daily living (ADL) and with household duties essential to the individual's health and comfort, such as bathing, dressing, meal preparation and light housekeeping. The decision regarding the appropriate number of hours is based on the tasks necessary to meet the specific needs of the individual and the hours necessary to complete those tasks. Once PCA services are authorized, a nursing reassessment is performed every six months, or more frequently if warranted, to reevaluate the individual's need for continued care. N.J.A.C. 10:60-3.5(a)3; J.R. v. Div. of Med. Assist. & Health Servs. and Div. of Disability Servs., No. A-0648-14 (App. Div. April 18, 2016). (Op. at 9). On December 27, 2019, United conducted an in-person assessment of Petitioner and determined that she did not requires PCA services.

In a thorough, well-reasoned decision, the ALJ affirmed United's decision to deny Petitioner PCA services. In reaching this decision, I accept the ALJ's fact-findings, which are based, in part, upon her assessment of the witnesses who testified at the administrative hearing. The fact-finder's assessment of the credibility of witnesses is entitled to deference by the reviewing agency head. Clowes v. Terminix, 109 N.J. 575 (1988).

It is apparent from the record that the ALJ took into account the documentary evidence and testimony of the witnesses to determine the appropriate amount of PCA hours for the Petitioner. Accordingly, the ALJ found Horizon's witness to be credible and her testimony consistent with her observations during the in-person assessment. Conversely, the ALJ found that J.L.'s testimony was undermined when she could not decide whether or not she was present for Petitioner's assessment despite the fact that she was directly quoted in Horizon's assessment tool notes. Petitioner took no exception with these findings.

I find that the credible evidence in the record supports Horizon's denial of Petitioner's request for PCA services. The medical documentation submitted by the Petitioner at the

hearing post-dated Horizon's December 2019 assessment, and none of the doctors who authored these records were called to testify.

THEREFORE, it is on this 6th day of AUGUST 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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