



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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**

P.K.,

PETITIONER,

v.

UNITED HEALTHCARE,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. No. HMA 04467-2020

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 July 26, 2021 in accordance with an Order of Extension.

This matter concerns the reduction of Petitioner's personal care assistance (PCA) hours. By way of settlement, the parties agreed to resolve the issues surrounding the PCA hours, withdrawing the request of a fair hearing.¹

¹ The Settlement Agreement provides that Petitioner's PCA hours will be reassessed after the Governor of the State of New Jersey lifts COVID-19 restrictions that prohibited the reduction of PCA hours. However, I note that it was the Division of Medical Assistance and Health Services (DMAHS) that issued guidance, on March 30, 2020, which provided that all

In the Initial Decision dated April 22, 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 23rd day of JULY 2021,

ORDERED:

That the Initial Decision affirming the Settlement Agreement in this matter is hereby ADOPTED.



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

services that required a face to face assessment, like PCA assessments, were to remain at the same approval level for the duration of the public health emergency. See <https://nj.gov/humanservices/library/slides/MCO%20Guidance%20on%20Prior%20Authorization.pdf>. Accordingly, the parties are reminded to comply with this directive until DMAHS advises otherwise.