



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
Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

J.L.,

PETITIONER,

v.

HORIZON NJ HEALTH,

RESPONDENT.

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ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. No. HMA 15256-2016

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, Office of Administrative Law (OAL) case file and the documents filed below. Neither party filed exceptions in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is May 23, 2022 in accordance with an Order of Extension.

This matter concerns the termination of Petitioner's Personal Care Assistance (PCA) hours as assessed by Horizon NJ Health. Petitioner had been receiving PCA hours. During a routine reassessment it was determined that the hours were no longer medically necessary. Petitioner appealed this termination of PCA hours.

PCA services are non-emergency, health related tasks to help individuals with activities of daily living (ADLs) 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 twelve 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.


The Initial Decision found that Horizon NJ Health had properly assessed Petitioner's needs in 2015 and again in 2016 during the pendency of the hearing. ID at 9. Petitioner did not have any need for hands-on assistance with any of her ADLs. ID at 4.

Based on my review of the record and based on the fact contained therein, I hereby ADOPT the Initial Decision. However, I am compelled to note that the issue in case had become moot when Petitioner, who was represented by counsel at the hearing, lost Medicaid eligibility in October 2017. As her benefits were continued pending the outcome of the fair hearing, the PCA determination became moot upon the loss of eligibility.

THEREFORE, it is on this 29th day of APRIL 2022,

ORDERED:

That the Initial Decision is hereby ADOPTED as set forth above.



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