



State of New Jersey
DEPARTMENT OF HUMAN SERVICES
 Division of Medical Assistance and Health Services
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 Assistant Commissioner

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

E.R.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
UNITED HEALTHCARE,	:	OAL DKT. No. HMA 10601-25
	:	
RESPONDENT.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 12, 2026, in accordance with an Order of Extension.

This matter arises from United Healthcare's assessment of Personal Care Assistance (PCA) hours for Petitioner. Petitioner appealed the termination of PCA hours, and the matter was transmitted to the OAL for a hearing.

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, and ambulation. 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. The regulations provide that PCA services are only warranted when the beneficiaries are “in need of moderate, or greater, hands-on assistance in at least one activity of daily living (ADL), or minimal assistance or greater in three different ADLs, one of which must require hands-on assistance.” N.J.A.C. 10:60-3.1(c). Additionally, instrumental activities of daily living (IADL) “such as meal preparation, laundry, housekeeping/cleaning, shopping, or other non-hands-on personal care tasks shall not be permitted as a stand-alone PCA service.” N.J.A.C. 10:60-3.1(c)(1). The assessments use the State-approved PCA Nursing Assessment Tool (PCA Tool) to calculate the hours.

On March 31, 2025, Nurse Mohammed Malik (Nurse Malik) performed an assessment of Petitioner’s PCA services to determine the hours of care needed. ID at 3. The Petitioner is seventy-two years old and suffers from mild cognitive impairment and various physical illnesses, including diabetes, hypertension, weakness, chronic kidney disease, and chronic heart failure, leading to a heart transplant in 2024. Id. at 2. Prior to the March 31, 2025, assessment, the Petitioner received fourteen PCA hours per week. Id. at 3. Before his transplant surgery on December 26, 2024, the Petitioner could not walk and required hands-on assistance with many daily living activities, such as moving around and bathing. Ibid. After transplant surgery, the Petitioner completed therapy and rehabilitation services. Ibid. His physical condition significantly improved through these services. Ibid. PCA hours were continued during his recovery. Ibid.

During the March 31, 2025, PCA assessment, the Petitioner informed Nurse Malik that he could now walk, move from one position to another, bathe, eat, groom, dress, and use the toilet without assistance from another person. Ibid. At the fair hearing, the

Petitioner confirmed that he did not need any physical assistance with these activities of daily living because of the progress he made during his post-surgical rehabilitation.

The Petitioner's physician wrote a letter dated September 23, 2025, which stated that he needed assistance with ADLs. (P-2). However, the activities noted in this letter are not physical activities, but rather IADLs, including housekeeping, laundry, shopping, and meal preparation. Ibid. Nurse Malik documented that Petitioner needed assistance with these IADLs in the March 31, 2025, assessment. Ibid. In the Initial Decision, the Administrative Law Judge (ALJ), found that the Petitioner only needs assistance with IADLs, not ADLs, and concluded that he is ineligible for PCA hours. Ibid. I agree.

To qualify for PCA services under N.J.A.C. 10:60-3.1, recipients need moderate or greater hands-on assistance in at least one ADL or limited assistance in three or more different ADLs. However, if a member only needs assistance with IADLs, PCA hours are unavailable. N.J.A.C. 10:60-3.1(c)1. As the Petitioner only needs assistance with IADLs, he is not eligible for any PCA hours.

Thus, based on the record before me and for the reasons enumerated above. I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 9th day of February 2026,

ORDERED:

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



Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services