

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.

Adult medical day care is a program that provides preventive, diagnostic, therapeutic and rehabilitative services under medical and nursing supervision in an ambulatory care setting to meet the needs of individuals with physical and/or cognitive impairments. N.J.A.C. 10:164-1.1 Clinical eligibility for adult medical day care is dependent on an individual's need with assistance with ADLs, need for cueing/supervision with ADLs, or need for skilled or rehabilitative services. N.J.A.C. 10:164-1.5

At the hearing, Tiffany Perkins, a senior analyst for Aetna, testified and identified the documents which were marked into evidence as R-1 through R-10. ID at 2. A reassessment was conducted by Rosemari Provilon (Nurse Provilon) to determine the hours of care needed. (R-9). Aetna notified Petitioner that his hours were being reduced from 25 hours per week down to 9 hours per week.¹ (R-4). Petitioner suffers from COPD and coughs and tires easily. ID at 2. Previously, Petitioner had a heart attack and a

¹ Aetna doctor, Anisha Khanna, indicates that they will approve Petitioner for an additional 1 hour of PCA services so that Petitioner can receive 10 hours of PCA services, which would allow him to continue to attend the adult medical day care facility twice per week. (R-7).

stroke. (R-8). Petitioner had been receiving five days of medical day care for a period when he was homeless and hospitalized. Ibid. Petitioner is no longer homeless and has reported a full recovery after hospitalization. Ibid. The assessment found that Petitioner remembered three out of three words in the memory test. ID at 2. Petitioner's daughter assists him with shopping, meal preparation, laundry and cleaning. Ibid. Petitioner is verbal, ambulatory and independent in all ADLs. Ibid. The adult medical day care assists him with his medical appointments and transportation, which can be completed within the hours or the two days of adult medical day care. Ibid.

Petitioner testified that he currently receives four days of adult medical day care, tires easily, and has COPD. ID at 3. He also testified that the adult medical day care helps him to make appointments with his doctors and provides transportation to his appointments. Ibid. Two employees from the adult medical day care center also testified as to the services they provide to Petitioner. Ibid. Neither employee offered any additional testimony or evidence which demonstrated a need for additional hours of services for Petitioner. Ibid.

In the Initial Decision, the Administrative Law Judge (ALJ) found that Petitioner qualifies for 9 hours of PCA services or two days of adult medical day care, and that the assessment was done accurately. ID at 3, 6.

Based on my review of the record, it appears Aetna used the PCA Assessment Tool to assess Petitioner's need for adult medical day care. Pursuant to the contract between DMAHS and Managed Care Organizations such as Aetna, for medical day care evaluations, the contractor must use the NJ Choice Assessment System to evaluate clinical eligibility. See N.J.A.C. 10:164.

Thus, for the reasons set forth herein, I hereby REVERSE the Initial Decision in this matter and find that Petitioner was not properly assessed.

THEREFORE, it is on this 2nd day of JANUARY 2026,

ORDERED:

That the Initial Decision is hereby REVERSED, and Aetna shall assess Petitioner's current condition within four weeks of this decision to determine Petitioner's present medical necessity for services. Coverage shall continue via PCA hours and/or other appropriate services to ensure Petitioner receives appropriate care while Aetna reassesses for medical day care eligibility.

Gregory Woods

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