



State of New Jersey

**DEPARTMENT OF HUMAN SERVICES
OFFICE OF PROGRAM INTEGRITY AND ACCOUNTABILITY
PO Box 700
TRENTON, NJ 08625-0700**

**CHRIS CHRISTIE
GOVERNOR**

**KIM GUADAGNO
LT. GOVERNOR**

**JENNIFER VELEZ
COMMISSIONER**

FINAL DECISION

OAL DKT. NO. HSL 03313-13S

AGENCY DKT. NO. DRA #13-002

DEPARTMENT OF HUMAN SERVICES,

Petitioner,

v.

J.Y.,

Respondent.

AND

**IN THE MATTER OF J.Y.,
DEPARTMENT OF HUMAN
SERVICES, HUNTERDON
DEVELOPMENTAL CENTER**

**OAL DKT. NO. CSV 2762-13
AGENCY DKT. NO. 2013-2169
(CONSOLIDATED)
RECORD SEALED**

A. INTRODUCTION

The matter, Department of Human Services v. J.Y., was transmitted to the Office of Administrative Law (OAL) on March 7, 2013 as an appeal of placement on the Central Registry of Offenders against Individuals with Developmental disabilities, N.J.S.A. 30:6D-73, et seq. That case was given the OAL Docket number HSL 03313-13S.

In the Matter of J.Y., Department of Human Services, Hunterdon Developmental Center was transmitted to the OAL on February 26, 2013 for determination as a contested case, pursuant to N.J.S.A. 52:14B-1 to 15 and N.J.S.A. 52:14F-1 to 15. This case was given the OAL docket number CSV 2762-13.

On May 30, 2013, the records of these two cases were consolidated and the records sealed by order of Administrative Law Judge Joseph A. Ascione. The order of consolidation and predominant interest declared that the Department of Human Services had the predominant interest in the conduct and outcome of the consolidated cases. Pursuant to N.J.A.C. 1:1-17.6(b), the Department of Human Services was to render the final decision on all issues within the scope of its predominant interest. The factual findings of the Department of Human Services were then to be binding upon the Civil Service Commission. The Director of the Civil Service Commission would then determine if there had been misconduct under the disciplinary code of the Commission and what, if any penalties would be appropriate.

B. THE INITIAL DECISION

On January 23, 2014 the Administrative Law Judge (ALJ), John F. Russo, Jr., presided over a hearing in the consolidated matters, with testimony from two witnesses for the Department of Human Services. A settlement agreement was negotiated and was signed by all of the parties to the consolidated cases. The fully executed settlement agreement was delivered to the OAL on August 1, 2014, at which time the ALJ closed the record and issued his initial decision

The ALJ reviewed the record and the terms of the settlement and **FOUND** that the settlement was entered into voluntarily by the parties as witnessed by the parties' (or their representatives') signatures, that it fully disposed of all issues in dispute, and is consistent with the law. The ALJ **CONCLUDED** that the agreement met the requirements of N.J.A.C. 1:1-19.1 and that it should be approved. The ALJ **ORDERED** that the parties comply with the settlement terms.

C. EXCEPTIONS

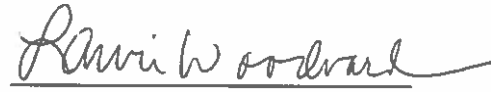
None submitted.

D. FINAL DECISION

Careful consideration was given to the ALJ's Initial Decision, the Settlement Agreement and the entirety of the OAL file by the Office of Program Integrity and Accountability, on behalf of the Department of Human Services. Pursuant to N.J.A.C. 1:1-18.1(f), I concur with the ALJ's findings. Therefore, the ALJ's Initial Decision, encompassing the Settlement Agreement is hereby **AFFIRMED** as the Department of Human Services' Final Agency Decision in these matters.

Pursuant to N.J.A.C. 1:1-17.8, this Final Decision of the Department of Human Services will be forwarded (with the record and the ALJ's recommended decision) to the Civil Service Commission to render a final decision on any remaining issues and consider any specific remedies which may be within its statutory authority.

Date: 9/8/14



Lauri Woodward, Director
Office of Program Integrity and
Accountability