



PHILIP D. MURPHY
Governor

SARAH ADELMAN
Commissioner

State of New Jersey
DEPARTMENT OF HUMAN SERVICES

TAHESHA L. WAY
Lt. Governor

Division of Medical Assistance and Health Services
P.O. Box 712
Trenton, NJ 08625-0712

JENNIFER LANGER JACOBS
Assistant Commissioner

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

S.F.	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
HORIZON NJ HEALTH,	:	OAL DKT. NO. HMA 08383-2023
	:	
RESPONDENTS.	:	

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision and the Office of Administrative Law (OAL) case file. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 12, 2024, in accordance with an Order of Extension.

This matter arises from Horizon NJ Health's (Horizon) assessment of Personal Care Assistance (PCA) hours for Petitioner. This was an initial assessment for services, and based on that assessment, Petitioner was found to not meet the criteria for PCA hours. Petitioner appealed the denial, and the matter was transmitted to the OAL.

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 is “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.

At the hearing, Gillian Ronas, a Registered Nurse for Horizon, testified regarding the assessment she conducted using the PCA Tool. ID at 3. Ms. Ronas testified that she reviewed the assessment she performed on Petitioner on June 5, 2023 (Exhibit R-2), and concluded that Petitioner does not require assistance with any ADLs. Ibid. During the hearing, Petitioner testified that she is often at home alone and needed general assistance with laundry, changing the bed sheets, and cleaning. ID at 3. An independent Peer Review Report was conducted by a Board Certified doctor, which concluded that Petitioner did not need hands-on assistance with necessary daily activities and confirmed the request for PCA services should be denied. (Exhibit R-3).

The Initial Decision concluded that Petitioner was not eligible for PCA services because Petitioner was seeking PCA assistance for IADLs such as cleaning and laundry but was not requesting, nor did she require, assistance with ADLs. The Initial Decision affirmed Respondent’s denial of Petitioner’s request for PCA services.

Accordingly, and based on my review of the record, I hereby ADOPT the Initial Decision and FIND that Petitioner does not qualify for PCA services at this time.

THEREFORE, it is on this 8th day of FEBRUARY 2024,

ORDERED:

That the Initial Decision is hereby ADOPTED.

**carol grant OBO
Jennifer Langer
Jacobs**

Digitally signed by carol grant
OBO Jennifer Langer Jacobs
Date: 2024.02.08 10:00:17
-05'00'

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