

modify the Initial Decision within 45 days of the agency's receipt. The Initial Decision was received on August 10, 2016.

Based upon my review of the record, I hereby ADOPT the recommended decision of the Administrative Law Judge in its entirety and incorporate the same herein by reference. The credible evidence in this record indicates that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for the Managed Long Term Services and Supports (MLTSS) waiver program. The MLTSS program provides comprehensive services and supports to help eligible beneficiaries remain living in the community rather than in a nursing facility. In order for an applicant to qualify for MLTSS, he or she must be in need of nursing home level of care. Eligibility for nursing facility services is determined by the professional staff designated by the Department based on a comprehensive needs assessment that demonstrates that the beneficiary requires nursing home level of care. N.J.A.C. 8:85-2.1.


Based upon my review of the record in this matter, I agree with the Administrative Law Judge that the credible evidence indicates that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for nursing facility level of care pursuant to N.J.A.C. 8:85-2.1 and 2.2. Petitioner presented no evidence to contradict this determination.

I suggest that Petitioner contact the Passaic County Office on Aging at (973) 569-4060 for information about programs and services available to her. Additionally, Petitioner may request a reassessment should her condition change.

THEREFORE, it is on this ^{31st} day of OCTOBER 2016,

ORDERED:

That the Initial Decision affirming the denial of clinical eligibility for nursing level of care is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services
