

## State of New Hersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES P.O. Box 712 Trenton, NJ 08625-0712

**ELIZABETH CONNOLLY** Acting Commissioner

Director

CHRIS CHRISTIE Governor

KIM GUADAGNO Lt. Governor

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

E.A.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

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OAL DKT. NO. HMA 14935-15

HORIZON NJ HEALTH,

RESPONDENT.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Agency Decision is March 28, 2016 in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on February 9, 2016.

This appeal stems from Horizon NJ Health's decision to terminate Petitioner's 10 hours of weekly Personal Care Assistant services. However, by Settlement Agreement filed with the Office of Administrative Law, the parties

agreed to amicably resolve this controversy whereby Petitioner agreed to withdraw her hearing request and Horizon agreed to continue providing 10 hours of services per week pending the next assessment or upon a change in Petitioner's condition.

The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

I agree with the ALJ's conclusions regarding the Settlement Agreement and ADOPT the Initial Decision as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this 8 day of March 2016,

ORDERED:

That the Initial Decision approving the Settlement Agreement in this matter is hereby ADOPTED.

Meghan Davey, Director ()
Division of Medical Assistance
and Health Services