



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

E.B.,

PETITIONER,

v.

HORIZON NJ HEALTH,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 03942-16

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 August 8, 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 June 23, 2016.

This appeal stems from Horizon NJ Health's denial of petitioner's request for an increase in personal care service hours. However, by Settlement Agreement filed with the Office of Administrative Law, the parties agreed to

amicably resolve this controversy whereby Horizon agreed to provide 25 hours of services per week and Petitioner agreed to reduce her attendance at Adult Medical Day Care from 5 days to 3 days per week.


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 19th day of July 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