



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

P.O. Box 712
Trenton, NJ 08625-0712

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

J.T.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
HORIZON NJ HEALTH,	:	OAL DKT. NO. HMA 00183-16
	:	
RESPONDENT.	:	

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is June 10, 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 the agency's receipt. The Initial Decision was received on April 26, 2016.

Based upon my review of the record, I hereby ADOPT the Initial Decision affirming Respondent's denial of increased Personal Care Assistant ("PCA") service hours. For the reasons which follow, I agree that Petitioner should receive 35 hours of PCA services per week.¹

PCA services are non-emergency, health related tasks to help individuals with activities of daily living and with household duties essential to the individual's health and comfort, such as bathing, dressing, meal preparation and light housekeeping. 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.

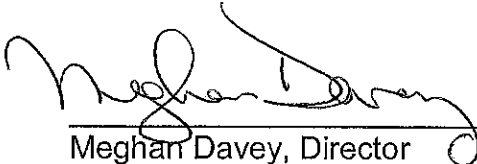
I find it significant that Petitioner presented no evidence suggesting that any needed service or task cannot be performed within 35 hours per week. Moreover, Petitioner provided no evidence or explanation as to why this amount of PCA services is insufficient with respect to his care needs. If the necessary personal care and household tasks can be accomplished within 35 hours per week, any additional hours would only be used for supervision or companionship which is not an authorized use of the service. See N.J.A.C. 10:60-3.8(c). This would be contrary to the purpose of the PCA program, which is intended to provide medically necessary assistance with specific health related tasks.

THEREFORE, it is on this 1st day of June 2016,

ORDERED:

¹ In addition to receiving 35 hours of PCA services, J.T. attends Adult Medical Day Care four days each week.

That the Initial Decision affirming Horizon NJ Health's denial of increased PCA hours is hereby ADOPTED as the Final Decision.



Meghan Davey, Director
Division of Medical Assistance
and Health Services