

## State of New Jersey

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

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

O.C.,

PETITIONER.

**ADMINISTRATIVE ACTION** 

**FINAL AGENCY DECISION** 

V.

OAL DKT. NO. HMA 12743-16

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 January 3, 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 November 16, 2016.

This appeal stems from Horizon NJ Health's denial of a panniculectomy. However, by Settlement Agreement filed with the Office of Administrative Law, the parties agreed to amicably resolve this controversy whereby Horizon NJ Health agreed to approve the surgical procedure.

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 y day of December 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