



State of New Jersey

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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MEGHAN DAVEY  
Director

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

T.A.,

PETITIONER,

v.

HORIZON NJ HEALTH,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 09217-16

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 October 31, 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 September 15, 2016.

This appeal stems from Horizon NJ Health's denial of petitioner's request for personal care assistant (PCA) services. However, by Settlement Agreement filed with the Office of Administrative Law, the parties agreed to amicably resolve

this controversy whereby Horizon agreed to authorize 11 hours of weekly PCA services through the Personal Preference Program, pending the next assessment or upon a change in Petitioner's health 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 <sup>14<sup>th</sup></sup> day of October 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