



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

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

MEGHAN DAVEY  
Director

Z.M. and T.M.,

PETITIONERS,

v.

HORIZON NJ HEALTH,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NOs. HMA 07568-2016  
HMA 09497-2016

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 November 14, 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 30, 2016.

This appeal stems from Horizon NJ Health's denial of Petitioner, T.M., and Petitioner Z.M.'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 provide T.M. with 16 hours per day, 5 days per week of Private Duty Nursing (PDN) and 18 hours per day, 2 days per week of PCA services and Z.M. with 18 hours per day, 5 days per week of PDN and 20 hours per day, 2 days per week of PCA services, pending a reassessment.

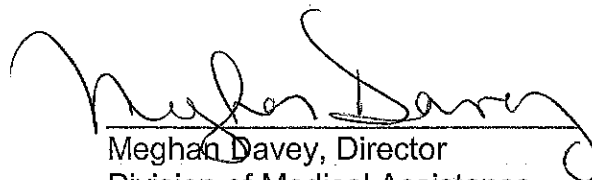
The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

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>21<sup>st</sup></sup> 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