



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

CHRIS CHRISTIE
Governor

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ELIZABETH CONNOLLY
Acting Commissioner

K.M. GUADAGNO
Lt. Governor

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

MEGHAN DAVEY
Director

J.R.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HEALTH SERVICES AND

SOUTHERN REGIONAL COMMUNITY

CHOICE OPTIONS OFFICE,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 03964-17

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, the contents of the OAL case file, Petitioner's exceptions to the Initial Decision and Respondent's reply. Procedurally, the time period for the Agency Head to render a Final Agency Decision is July 28, 2017 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 June 13, 2017.

Based upon my review of the record, I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their entirety and incorporate the same herein by reference. I agree with the Administrative Law Judge that the credible evidence in this record establishes that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for nursing facility level of care pursuant to N.J.A.C. 8:85-2.1 and 2.2. Petitioner presented no evidence to contradict this determination.

THEREFORE, it is on this 15th day of July 2017,

ORDERED:

That the Initial Decision affirming the denial of clinical eligibility for nursing home placement is hereby ADOPTED as the Final Decision in this matter.



Meghan Davey, Director
Division of Medical Assistance
and Health Services