



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

MEGHAN DAVEY
Director

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

L.S.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

v.

OAL DKT. NO. HMA 19103-17

AMERIGROUP,

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 June 22, 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 receipt. The Initial Decision was received on May 8, 2017.

This appeal stems from Amerigroup's denial of Petitioner's request for an increase in Personal Care Assistant (PCA) service hours from 23 to 40 hours per week. However, by Settlement Agreement filed with the Office of Administrative

Law, the parties agreed to amicably resolve this controversy whereby Amerigroup agreed to provide 30 hours of PCA services per week until the next assessment.


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 *9th* day of June 2017,

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