



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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Governor

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KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

M.F.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
BEACON OF LIFE,	:	OAL DKT. NO. HMA 330-2017
	:	
RESPONDENTS.	:	

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is June 19, 2017 in accordance with an Order of Extension.

The matter arises regarding the notice from Beacon of Life, a Program of All-Inclusive Care for the Elderly (PACE), to involuntary discharge Petitioner from their program. Petitioner is eligible for Medicaid and opted to have her services provided through a PACE program as of December 1, 2015. Enrollment in the PACE program is voluntary and coordinated care of Medicare and Medicaid services. If an individual meets the eligibility requirements and elects PACE, then an agreement is signed.

Enrollment continues as long as desired by the individual, regardless of change in health status, until voluntary or involuntary disenrollment. See 42 C.F.R. § 460.2, et seq. Here Petitioner is being involuntarily disenrolled.

Involuntary disenrollment is permitted when certain guidelines are met. See 42 C.F.R. § 460.164. Here Petitioner is seeking to return to her apartment. However, after determining that such a placement puts her health and safety in jeopardy, Beacon of Life denied the request. An internal appeal and an independent third-party appeal upheld the denial. As a Medicaid recipient, she is also entitled to a fair hearing.


The Initial Decision set forth the facts that led to the decision she could not return to her home. Petitioner had a serious fall in July 2015 and was hospitalized. Beacon of Life attempted to have her return to her apartment. However, after six trial visits, it became apparent she could not reside on her own. Petitioner is a fall risk, does not properly medicate and has anxiety attacks. She was presented with alternatives that could enable her to return to her apartment but she refused them. ID at 2.

I am satisfied that Beacon of Life properly determined that Petitioner should be involuntarily disenrolled if she returns to her apartment against medical advice. Beacon of Life may begin to work to transition Petitioner out of the PACE program and into the appropriate Medicaid program so that her Medicaid services will continue.

THEREFORE, it is on this ^{19th} day of JUNE 2016,

ORDERED:

That the Initial Decision is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services