

This matter arises from the Horizon NJ Health (Horizon) assessment of Personal Care Assistance (PCA) hours for Petitioner. This was an initial assessment for services and based on the assessment, Petitioner was found to not meet the criteria for PCA hours. Petitioner appealed the denial and the matter was transmitted to OAL.

At the hearing, Regina Mullen, a Registered Nurse for Horizon, testified regarding the assessment she conducted using the PCA Tool. Due to the COVID-19 pandemic, in-person assessment are prohibited and the assessment was done over the phone. Both Petitioner and her mother, who is also her Power of Attorney, were interviewed with regard to Petitioner's need for PCA services. Petitioner, who is minimally impaired cognitively, also receives services through the Division of Developmental Disabilities (DDD) including 15 hours a week of assistance. The extent of these services were not disclosed but the case manager for the independent living apartment where she resides, testified that the aide help Petitioner with her daily routine including reminders for brushing her hair and teeth and for food and medicine. ID at 7.

PCA services are non-emergency, health related tasks to help individuals with activities of daily living (ADLs) and with household duties essential to the individual's health and comfort, such as bathing, dressing, meal preparation and light housekeeping. The decision regarding the appropriate number of hours is based on the tasks necessary to meet the specific needs of the individual and the hours necessary to complete those tasks. The regulations provide that PCA services are only warranted when the beneficiaries is "in need of moderate, or greater, hands-on assistance in at least one activity of daily living (ADL), or, minimal assistance or greater in three different ADLs, one

of which must require hands-on assistance.” N.J.A.C. 10:60-3.1(c). Additionally, instrumental activities of daily living (IADL)

“such as meal preparation, laundry, housekeeping/cleaning, shopping, or other non-hands-on personal care tasks shall not be permitted as a stand-alone PCA service.”

N.J.A.C. 10:60-3.1(c)1. The assessments use the State-approved PCA Nursing Assessment Tool to calculate the hours.

I agree with the Initial Decision determination that Petitioner’s current status does not meet the criteria necessary for PCA services. The only area in which she needs assistance – personal hygiene- was limited in assistance for brushing her hair. ID at 5. Petitioner’s mother testified that she need cuing or supervision for showering or reminders for hand washing and brushing teeth. However, Petitioner does not have a singular ADL that requires moderate or greater hands on assistance. The cuing or supervision in the other ADLs does not rise to the level needed to approve PCA hours as Petitioner does not need hands on assistance in those areas. Additionally, any need for help in IADLs such as housekeeping or meal preparation cannot substituted for the need to meet the ADL requirements for PCA services.

Based on my review of the record and based on the fact contained therein, I hereby ADOPT the Initial Decision. Should Petitioner’s condition change, she may request a new reassessment.

THEREFORE, it is on this ^{26th} day of JANUARY 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services