



# State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

SARAH ADELMAN  
*Acting Commissioner*

JENNIFER LANGER JACOBS  
*Assistant Commissioner*

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

D.M.,	:	
	:	
PETITIONER,	:	<b>ADMINISTRATIVE ACTION</b>
	:	
v.	:	<b>FINAL AGENCY DECISION</b>
	:	
HORIZON NJ HEALTH,	:	<b>OAL DKT. NO. HMA 00939-20</b>
	:	
RESPONDENTS.	:	

As Assistant Commissioner 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 dismissing the case. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Decision is March 1, 2021, in accordance an Order of Extension.

This matter arises from Horizon NJ Health’s (Horizon) assessment of Personal Care Assistance (PCA) hours for Petitioner. Based on the assessment, Petitioner’s PCA hours were reduced from 38 hours per week to 26 hours per week. Petitioner appealed the reduction in hours and the matter was transmitted to OAL.

The OAL scheduled a hearing for March 25, 2020, but adjourned the hearing due to the COVID-19 health crisis. During the pendency of rescheduling the hearing Petitioner passed away.

In the Initial Decision dated November 30, 2020, the ALJ found that neither Petitioner nor her representative intended to proceed with the fair hearing as the PCA hours are no longer needed. As the ALJ concluded that the case was no longer a contested case before the OAL, the ALJ found that the dismissal of this matter was appropriate.

Based on my review of the record, I concur with the ALJ's findings. I hereby ADOPT the Initial Decision.

THEREFORE, it is on this <sup>10th</sup> day of FEBRUARY 2021,

ORDERED:

That the Initial Decision dismissing the fair hearing in this matter is hereby ADOPTED.



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