



social services to certain frail, community-dwelling elderly individuals. The PACE program serves as the sole source of Medicaid and Medicare benefits for PACE participants. An interdisciplinary team (IDT) of health professionals provides PACE participants with coordinated care. The IDT is to be composed of members qualified to fill specified roles, "to provide appropriate care to meet the needs of participants." 42 CFR §460.102(b). The IDT is responsible for implementing the plan of care, coordinating services, conducting periodic assessments, and documenting all recommendations for care or services and the reasons for denying or providing recommended services. 42 CFR §46.102(b).

After an in person assessment, Petitioner's request for at home companionship services was denied. That denial noted that Life St. Francis provided socialization services at the Life Center. Petitioner appealed through the PACE process that begins with a third party review. 42 CFR § 460.122. That review upheld the denial of service and found that her socialization and companionship needs could be met at the Life Center. The reviewer also noted that Petitioner might benefit from a home health aide to assist her at home.

Based upon my review of the record, I hereby ADOPT the recommended decision of the Administrative Law Judge in its entirety and incorporate the same herein by reference. In a thorough, well-reasoned decision, the ALJ upheld the denial of Petitioner's request for a home-based companion and ordered Respondent to provide a licensed and certified home health aide as proposed in the February 17, 2021 denial letter. Petitioner's exceptions to the Initial Decision do not allege that the findings were incorrect. Rather, they largely reiterated arguments made at the Office

of Administrative Law that were fully addressed by the Administrative Law Judge in the Initial Decision.

THEREFORE, it is on this <sup>st</sup>21 day of APRIL 2023,

ORDERED:

That the Initial Decision is ADOPTED.

carol grant  
OBO Jennifer  
Langer Jacobs

Digitally signed by  
carol grant OBO  
Jennifer Langer Jacobs  
Date: 2023.04.21  
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Jennifer Langer Jacobs, Assistant Commissioner  
Division of Medical Assistance  
and Health Services