

This matter arises from the Department of Human Services, Division of Developmental Disabilities (DDD) denial of Petitioner's request for a diabetic support dog and its training. During the hearing, Petitioner acquired a diabetic support dog. The parties agreed that the only remaining issue in dispute is its training.

Summary disposition may be entered where there is no genuine issue as to any material fact and where the moving party is entitled to prevail as a matter of law. See Initial Decision at page 2, citing N.J.A.C. 1:1-12.5 and Brill v. Guardian Life Ins. Co. of Am., 142 N.J. 520, 523 (1995). I agree with the ALJ that there are no genuine issues of material fact that would require a hearing in this matter. Based on my review of the record, I hereby adopt the findings and conclusions of the Administrative Law Judge (ALJ). In a thorough and well-reasoned opinion, the ALJ correctly concluded that the request for a service dog and/or its training does not meet the definition of "Assistive Technology" nor does it meet the criteria for a compensable good or service.

THEREFORE, it is on this  day of APRIL 2023,

ORDERED:

That the Initial Decision is ADOPTED.

Carol A Grant
OBO Jennifer
Langer Jacobs

Digitally signed by
Carol A Grant OBO
Jennifer Langer Jacobs
Date: 2023.04.06
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Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services