

determined by the professional staff designated by the Department based on a comprehensive needs assessment that demonstrates that the beneficiary requires nursing home level of care. N.J.A.C. 8:85-2.1. The credible evidence in this record indicates that Petitioner does not satisfy the clinical eligibility criteria to meet nursing facility level of care. Petitioner presented no evidence to contradict this determination.

Based upon my review of the record and for the reasons set forth in the Initial Decision, I hereby ADOPT the findings and conclusions of the Administrative Law Judge (ALJ) and FIND that OCCO properly determined that Petitioner no longer met the clinical eligibility standards to qualify for nursing facility level of care. Accordingly, the Initial Decision of the OAL is ADOPTED as the Final Agency Decision in this matter. Petitioner may request a reassessment should his condition change.

THEREFORE, it is on this 5th day of September 2023,

ORDERED:

That the Initial Decision is hereby ADOPTED.



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