



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
P.O. Box 712
Trenton, NJ 08625-0712

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

B.S.,

PETITIONER,

v.

UNITED HEALTHCARE,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 00404-17

As Director 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 approving the Settlement Agreement reached by the parties. Procedurally, the time period for the Agency Head to file a Final Agency Decision is June 19, 2017, in accordance with N.J.S.A. 52:14B-10, which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on May 3, 2017.

This appeal stems from United healthcare's reduction of Petitioner's personal care assistant (PCA) service hours from 24 to 17 hours per week. However, by Settlement Agreement filed with the Office of Administrative Law,

the parties agreed to amicably resolve this controversy whereby United agreed to provide 21 hours of PCA services per week pending a reassessment or upon a change in Petitioner's health condition.

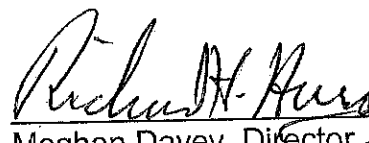
The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

I agree with the ALJ's conclusions regarding the Settlement Agreement and ADOPT the Initial Decision as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this 5th day of June 2017,

ORDERED:

That the Initial Decision approving the Settlement Agreement in this matter is hereby ADOPTED.


Richard H. Auer, Chief of Staff for
Meghan Davey, Director
Division of Medical Assistance
and Health Services 