



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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**

V.W.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
UNITED HEALTHCARE,	:	OAL DKT. NO. HMA 06507-16
	:	
RESPONDENTS.	:	

As Director of the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is February 2, 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 the agency's receipt. The Initial Decision was received on December 19, 2016.

Based upon my review of the record, I hereby ADOPT the recommended decision of the Administrative Law Judge (ALJ) dismissing Petitioner's appeal

regarding the reduction of Personal Care Assistant (PCA) hours. This matter was transmitted to OAL on April 28, 2016 and scheduled for a hearing on July 26, 2016. On that date, the ALJ continued the matter to be heard as a status conference in thirty days. By notice dated August 5, 2016, the parties were advised of a telephone status conference scheduled for August 29, 2016. Petitioner's representative failed to participate in the call. Thereafter, with the consent of both parties, the matter was rescheduled for another telephone status conference on September 26, 2016. On September 14, 2016, a notice was sent to the parties advising of the September 26, 2016 conference call. After Petitioner's representative again failed to participate in the conference call, Respondent filed a motion to dismiss. The ALJ dismissed the appeal based upon Petitioner's failure to participate on multiple occasions. Since then, there has been no correspondence from Petitioner regarding her failure to appear. Thus, I agree with the ALJ's dismissal of the case. See N.J.A.C. 1:1-14.4.

THEREFORE, it is on this 26th day of January 2017,

ORDERED:

That Initial Decision dismissing the appeal is hereby ADOPTED.


Meghan Davey, Director
Division of Medical Assistance
and Health Services