

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER Lt. Governor

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

CAROLE JOHNSON Commissioner

MEGHAN DAVEY

Director

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

A.O.,

PETITIONER.

**ADMINISTRATIVE ACTION** 

V.

FINAL AGENCY DECISION

AMERIGROUP.

OAL DKT, NO. HMA 03774-2018

RESPONDENT.

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 Decision is June 4, 2018, 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 April 20, 2018.

This matter arose when Respondent denied Petitioner's request to increase her Personal Preference Program (PPP) hours, from thirty-one (31) hours to forty (40) hours per week. On the day of the scheduled hearing, the parties entered into a settlement whereby both parties agreed that PPP hours would remain at forty (40) hours per week. The settlement went on to discuss Private Duty Nursing (PDN) hours and Adult Day Care

(ADC) hours. By Initial Decision dated April 16, 2018, 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. 1:11-19.1.

I hereby ADOPT the Settlement Agreement as to the only issue in controversy which concerns Petitioner's request for increased PPP hours. The remainder of the Settlement Agreement is outside the scope of the transmitted issue. As the issue regarding Petitioner's request for increased PPP hours has been resolved, this Agreement correctly disposed of the issue in controversy. The remaining issues of PDN and APC hours should be returned for further action by Amerigroup.

THEREFORE, it is on this of day of MAY 2018,

ORDERED:

That the Initial Decision approving the terms of the Settlement Agreement regarding PPP hours in this matter is hereby ADOPTED; and

That the matter is hereby RETURNED to the Amerigroup for further action on the other issues addressed in the settlement.

Meghan Davey, Director

Division of Medical Assistance

and Health Services