



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

B.P.C.,

PETITIONER,

v.

UNITED HEALTHCARE,

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 09865-17

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the 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 January 11, 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 the agency's receipt. The Initial Decision was received on November 27, 2017.

Based upon my review of the record, I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their entirety and incorporate the same herein by reference. I agree with the Administrative Law Judge that the credible evidence in this record indicates that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for adult medical day care pursuant to N.J.A.C. 10:164-1.5¹. Should Petitioner's condition deteriorate, she may reapply for services.

THEREFORE, it is on this *9th* day of JANUARY 2018,

ORDERED:

That the Initial Decision affirming the termination of eligibility for adult day health services is hereby ADOPTED as the Final Decision in this matter.



Meghan Davey, Director
Division of Medical Assistance
and Health Services

¹ Pursuant to the transfer of the Division of Aging Services from the Department of Health to the Department of Human Services, N.J.A.C. 8:86-1 et seq. (relied upon by United Healthcare and the ALJ) was recodified from Title 8, Health to Title 10, Human Services, of the New Jersey Administrative Code effective June 16, 2014.