



**State of New Jersey**  
**Department of Human Services**  
**Division of Medical Assistance and Health Services**  
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**PHILIP D. MURPHY**  
Governor

**Carole Johnson**  
Acting Commissioner

**Sheila Y. Oliver**  
Lt. Governor

**Meghan Davey**  
Director

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

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D.N.,	:	
	:	
PETITIONER,	:	<b>ADMINISTRATIVE ACTION</b>
	:	
v.	:	<b>FINAL AGENCY DECISION</b>
	:	
AMERIGROUP,	:	<b>OAL DKT. NO. HMA 18033-16</b>
	:	
RESPONDENT,	:	

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, consisting of the Initial Decision, the documents in evidence, and the contents of the OAL case file. Neither party filed Exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to file a Final Agency Decision is March 11, 2018 in accordance with an Order of Extension. The Initial Decision was received on December 11, 2017.

This appeal stems from United Healthcare's denial of Petitioner's request for an increase of personal care assistant (PCA) service hours. PCA services are non-emergency, health related tasks to help individuals with activities of daily living and with household duties essential to the individual's health and comfort, such as bathing,

dressing, meal preparation and light housekeeping. The decision regarding the appropriate number of hours is based on the tasks necessary to meet the specific needs of the individual and the hours necessary to complete those tasks. Personal care assistance services shall not be approved or authorized when the purpose of the request is to provide supervision or companionship. N.J.A.C. 10:60-3.8(c).

Like the Administrative Law Judge, I find that there is sufficient evidence to justify the provision of 105 hours per week. If the necessary personal care and household tasks can be accomplished within 105 hours per week, any additional hours would only be used for supervision or companionship which is not an authorized use of the service. See N.J.A.C. 10:60-3.8(c). This would be contrary to the purpose of the PCA program, which is intended to provide medically necessary assistance with specific health related tasks.

THEREFORE, it is on this *12<sup>th</sup>* day of FEBRUARY 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Meghan Davey, Director  
Division of Medical Assistance  
and Health Services