

State of New Jersey **Department of Human Services Division of Medical Assistance and Health Services** P.O. BOX 712 **TRENTON NJ 08625-0712**

PHILIP D. MURPHY Governor

> Sheila Y. Oliver Lt. Governor

Carole Johnson Commissioner

Meghan Davey Director

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

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E.O.,	
PETITIONERS,	: ADMINISTRATIVE ACTION
V.	FINAL AGENCY DECISION
	OAL DKT. NO. HMA 07523-18
UNITED HEALTHCARE,	
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 Agency Decision is September 17, 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 August 3, 2018.

This appeal stems from United Healthcare's denial of Petitioner's request for Private Duty Nursing (PDN) Services. However, by Settlement Agreement filed with the Office of Administrative Law, the parties agreed to amicably resolve this controversy whereby United Healthcare agreed to provide Petitioner with 10 hours per day of PDN services pending a reassessment. 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.

Based on my review of the record, I concur with the ALJ's findings and hereby ADOPT the Settlement Agreement.

THEREFORE, it is on this \U day of SEPTEMBER 2018,

ORDERED:

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

Meghan Davey, Director **Division of Medical Assistance**

Division of Medical Assistance and Health Services