



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.

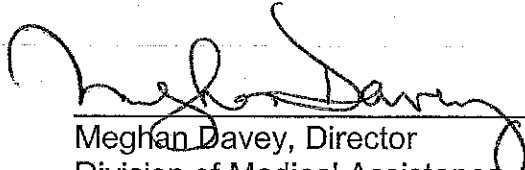
Based upon my review of the record, I hereby ADOPT the recommended decision of the Administrative Law Judge in its entirety and incorporate the same herein by reference. The credible evidence in this record indicates that Petitioner does not satisfy the clinical eligibility criteria to meet nursing facility level of care. Eligibility for nursing facility services is determined by the professional staff designated by the Department based on a comprehensive needs assessment that demonstrates that the beneficiary requires nursing home level of care. N.J.A.C. 8:85-2.1.

I agree with the Administrative Law Judge that the credible evidence indicates that Petitioner does not satisfy the clinical eligibility criteria necessary to qualify for nursing facility level of care pursuant to N.J.A.C. 8:85-2.1 and 2.2. Petitioner presented no evidence to contradict this determination. Petitioner may request a reassessment should his condition change.

THEREFORE, it is on this <sup>24</sup> day of January 2018,

ORDERED:

That the Initial Decision affirming the termination of clinical eligibility for nursing level of care is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services