

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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CAROLE JOHNSON

Commissioner

MEGHAN DAVEY

Director

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

H.S.,

PETITIONER,

ADMINISTRATIVE ACTION

V

FINAL AGENCY DECISION

UNITED HEALTHCARE.

OAL DKT. NO. HMA 14369-17

RESPONDENT.

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 June 18, 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 May 5, 2018.

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 day health services pursuant to N.J.A.C. 10:164-1.51. Should Petitioner's condition deteriorate, he may reapply for services.

THEREFORE, it is on this 25 day of JUNE 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,