

## 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

J.D.,

PETITIONER.

**ADMINISTRATIVE ACTION** 

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ORDER OF REMAND

AMERIGROUP.

OAL DKT. NO. HMA 12682-2018

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 Decision is November 23, 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 October 9, 2018.

This matter concerns the reduction of Petitioner's Personal Care Assistance (PCA) hours from 40 to 30 hours after an assessment by Amerigroup. The Settlement Agreement states that DMAHS issued a letter that the cash grant to pay for these hours would remain the same and Amerigroup would honor that determination. The letter referred to is based on the request by Petitioner to continue benefits pending the fair hearing. The cash grant has nothing to do with the reduction of hours or the clinical assessment. Thus, I hereby REJECT the Settlement Agreement and REMAND the matter to OAL for further proceedings on the clinical assessment.

THEREFORE, it is on this day of NOVEMBER 2018,

ORDERED:

That the Settlement Agreement is hereby REJECTED; and

That the matter is REMANDED to OAL.

Meghan Davey, Director

Division of Medical Assistance

and Health Services