



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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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

L.H.,

PETITIONER,

v.

UNITED HEALTHCARE,

RESPONDENT.

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**ADMINISTRATIVE ACTION**

**FINAL AGENCY DECISION**

**OAL DKT. NO. HMA 13824-17**

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 May 4, 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 March 20, 2018.

This matter arises from Respondent's reduction in the Private Duty Nursing (PDN) hours provided to Petitioner, from one-hundred twelve (112) hours to eighty-two (82) hours per week. The parties entered into a settlement on the record whereby Petitioner agreed to apply for the Supports Program Plus PDN, a waiver administered by the New Jersey Division of Developmental Disabilities. Respondent agreed to provide Petitioner with one-

hundred twelve (112) hours of private duty nursing per week during the application process and until Petitioner's eligibility for the program is determined. By Initial Decision dated March 14, 2018, 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. 1:11-19.1.

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 <sup>27<sup>th</sup></sup> day of APRIL 2018,

ORDERED:

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

  
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Meghan Davey, Director  
Division of Medical Assistance  
and Health Services