

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES PO Box 712 Trenton, NJ 08625-0712

CAROLE JOHNSON Commissioner

JENNIFER LANGER JACOBS Director

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

R.H., PETITIONER, v. GENESIS-BRAKELY PARK CENTER, RESPONDENT. ADMINISTRATIVE ACTION FINAL AGENCY DECISION OAL DKT. NO. HMA 04907-20

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter including the Initial Decision 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 November 1, 2020 in accordance with <u>N.J.S.A</u>. 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 September 17, 2020.

I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their entirety and incorporate the same herein by reference. On

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PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor April 27, 2020, Genesis-Brakely Park Center (Genesis) issued a notice of discharge letter to Petitioner. The letter provided that Petitioner would be discharged within 30 days of the notice and advised Petitioner of his appeal rights. On April 29, 2020, Petitioner requested a fair hearing with regard to the nursing home discharge. During the week of May 2, 2020, Petitioner voluntarily left the Genesis facility and began residing at a private apartment. The fact that Petitioner has voluntarily left the facility with no intention of returning renders this appeal moot.

THEREFORE, it is on this 27th day of October 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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Jennifer Langer Jacobs, Assistant Commissioner Division of Medical Assistance And Health Services