State of New Jersey
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

M.L.,	
PETITIONER,	ADMINISTRATIVE ACTION
v.	FINAL AGENCY DECISION
UNITED HEALTHCARE,	OAL DKT. NO. HMA 01269-21
RESPONDENT.	

As Assistant Commissioner 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. Procedurally, the time period for the Agency Head to file a Final Decision was March 11, 2022, 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 January 25, 2022. The time to file the Final Decision was extended to April 25, 2022.

This matter arises from United HealthCare's decision to reduce petitioner's daily private duty nursing (PDN) hours from sixteen (16) hours per day, seven (7) days per week, to eight (8) hours per day, seven (7) days per week.

By way of settlement, the parties agreed to resolve the issues surrounding the reduction in PDN and withdrawing the request of a Fair Hearing. In the Initial Decision dated November 18, 2021, 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. I hereby ADOPT the Initial Decision.

THEREFORE, it is on this 25th day of APRIL 2022,

ORDERED:

That the Initial Decision approving the settlement in this matter is hereby ADOPTED.

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