

PHILIP D. MURPHY Governor

State of New Jersey DEPARTMENT OF HUMAN SERVICES

Division of Medical Assistance and Health Services TAHESHA L. WAY Lt. Governor P.O. Box 712

Trenton, NJ 08625-0712

SARAH ADELMAN Commissioner

**GREGORY WOODS** Assistant Commissioner

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

J.J.

PETITIONER,

DIVISION OF MEDICAL ASSISTANCE: AND HEALTH SERVICES AND

HORIZON NEW JERSEY

HEALTH,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 13342-23

As Assistant Commissioner of the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Office of Administrative Law (OAL) case file and the Initial Decision approving the Settlement Agreement reached by the parties. No exceptions were filed in this matter. Procedurally, the time period for the Agency Head to file a Final Agency Decision is October 31, 2024, 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 September 16, 2024.

This matter arises from the reduction of Petitioner's Private Duty Nursing Care hours from sixteen hours (16) hours per day, seven (7) days per week, to twelve (12) hours per day, seven (7) days per week. Petitioner appealed the determination, and the matter was transmitted to the OAL for a fair hearing. Thereafter, the parties agreed to a

In the Initial Decision, dated September 16, 2024, the Administrative Law Judge (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

settlement and entered into a written agreement that resolves the contested matter.

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 25th day of OCTOBER, 2024,

ORDERED:

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

Gregory Woods, Assistant Commissioner

Division of Medical Assistance and Health Services