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State of New Jersey
DEPARTMENT OF HUMAN SERVICES
Division of Medical Assistance and Health Services
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SARAH ADELMAN
Commissioner

GREGORY WOODS
Assistant Commissioner

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

K.S.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE

AND HORIZON NJ HEALTH,

RESPONDENTS.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 12821-23

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 5, 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 August 22, 2024.

This matter arises from the reduction of Petitioner's Private Duty Nursing Care hours from thirteen (13) hours per day, seven (7) days per week, to eight (8) 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 settlement and entered into a written agreement that resolves the contested matter.

In the Initial Decision, dated August 20, 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 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 21st day of SEPTEMBER, 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