



PHILIP D. MURPHY
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State of New Jersey
Department of Human Services
Division of Aging Services
P.O. Box 807
Trenton, N.J. 08625-0807

CAROLE JOHNSON
COMMISSIONER

LOUISE RUSH
DIVISION DIRECTOR

November 28, 2018

New Jersey Office of Administrative Law
Attention: Clerk
33 Washington Street
Newark, New Jersey 07102

RE: Palisade Nursing Home v. New Jersey Department of Health and Senior Services
OAL Docket No.: DAS 07493-11 & DAS 10323-11

Dear Sir/Madam:

Enclosed please find the Final Agency Decision issued by the New Jersey Department of Human Services, Division of Aging Services, for the above referenced matter.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Louise Rush".

Louise Rush
Division Director

LR/sb
Enclosure

c: Andrew Bayer, Esq.
Jacqueline D'Alessandro, Deputy Attorney General



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STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF AGING SERVICES

PALISADE NURSING HOME
6819 Boulevard East
Guttenberg, NJ 07073,
Petitioner,

v.

NEW JERSEY DEPARTMENT OF
HEALTH AND SENIOR SERVICES,
Respondent.

ADMINSTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT NOS. DAS 07493-11 &
DAS 10323-11

In 2012, N.J.S.A. 30:1A-14 established the Division of Aging Services ("Division") in the Department of Human Services and transferred to the Division the functions, powers and duties of the former Department of Health and Senior Services related to the provision of programs or services for senior citizens. Effective July 1, 2012, the Division assumed responsibility for the nursing facility rate setting cases.

The Director of the Division has reviewed the record in these matters consisting of the Initial Decision of the Honorable Leslie Z. Celentano, A.L.J. ("ALJ") and the file of the Office of Administrative Law.

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

The Director adopts and incorporates by reference the procedural history and statement of the case set forth by the ALJ in the Initial Decision.

Petitioner is a nursing facility. These matters involve the appeal of Petitioner's Medicaid per diem rates for reimbursement set by Respondent and Respondent's recovery of overpayment to Petitioner. Petitioner appealed the reclassification by Respondent of the reported costs for Petitioner's Assistant Administrator and the Respondent's subsequent revisions to Petitioner's rates.

On October 15, 2018, the ALJ issued an Initial Decision dismissing with prejudice Petitioner's appeals.

DECISION

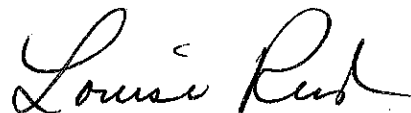
Based upon a review of the available record, the Director hereby ADOPTS the decision of the Administrative Law Judge in dismissing the matters with prejudice.

Petitioner has the right to appeal this Final Order within 45 days to the New Jersey Superior Court, Appellate Division, Richard J. Hughes Justice Complex, PO Box 006, Trenton, New Jersey 08625-0006.

THEREFORE, it is on this 28th day of November 2018,

ORDERED:

That the Initial Decision of the Administrative Law Judge is hereby **ADOPTED**.



Louise Rush
Division Director