

CHRIS CHRISTIE

Governor

KIM GUADAGNO Lt. Governor

State of New Jersey

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

JENNIFER VELEZ
Commissioner

VALERIE HARR Director

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

J.T.,

PETITIONER,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

٧.

OAL DKT. NO. HMA 12207-14

AMERIGROUP,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence 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 December 18, 2014 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 the agency's receipt. The Initial Decision was received on November 3, 2014.

Based upon my review of the record, I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their

entirety and incorporate the same herein by reference. Following the completion an assessment and review by the member appeal panel, Amerigroup determined that Petitioner needed a total of 20 hours of weekly PCA services. I am persuaded by the fact that no evidence was presented suggesting that any needed service or task cannot be performed within 20 hours per week. Petitioner provided no evidence as to why this level of PCA services is insufficient.

Given the absence of sufficient credible evidence that the necessary personal care and household tasks cannot be accomplished within 20 hours per week, any additional hours would only be used for supervision or companionship which is not an authorized use of the service. See N.J.A.C. 10:60-3.8(c). Indeed, this would be contrary to the purpose of the PCA program which is intended to provide medically necessary assistance with specific health related tasks.

THEREFORE, it is on this Way of December 2014,

ORDERED:

That the Initial Decision affirming the reduction of PCA services to 20 hours per week is hereby ADOPTED as the Final Decision.

Valerie J. Harr, Director

Division of Medical Assistance

and Health Services