

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL
BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of)	
)	
K T)	OAH No. 14-2123-MDS
_____)	Agency No.

DECISION

I. Introduction

K T applied for Personal Care Assistance (PCA) services through Medicaid. The Division of Senior and Disabilities Services (division) denied his application because he did not meet the program’s minimum eligibility requirements. Minimum eligibility will be found where a recipient requires physical assistance to complete certain activities of daily living. Mr. T’s witness testified that he did not require physical assistance to complete the activities covered under the program. Therefore, at this time Mr. T is not eligible for PCA services.

II. Facts

K T is a 73-year-old man who suffers from Diabetes and Hypertension. He has had no hospitalizations or ER visits within the last year. He came to Alaska from Nepal in January 2014. Mr. T participated in the hearing through his daughter and Power of Attorney, D S.

Each activity of daily living was discussed. Ms. S testified that her father does not require physical assistance with the activities of daily living (ADLs) (bed mobility, transfer, locomotion, dressing, eating, toilet use, personal hygiene and bathing) or the independent activities of daily living (IADLs) (meal preparation, light housekeeping, grocery shopping, and laundry). Rather, Ms. S explained that Mr. T has difficulty completing these tasks because of language and cultural barriers. For example, Ms. S testified that her father could cook, but that he does not know how to use the kitchen appliances; he could do laundry, but did not understand how to operate the washer and dryer; and he could shop, but he has difficulty counting change.

III. Discussion

The purpose of the PCA program is to provide a recipient *physical assistance* with activities of daily living (ADL), physical assistance with instrumental activities of daily living (IADL), and other services based on the physical condition of the recipient[. ¹]

¹ 7 AAC 125.010(a) (emphasis added).

The undisputed testimony establishes that Mr. T does not require physical assistance with the activities of daily living or the instrumental activities of daily living at this time. However, should his needs change in the future, he should reapply.

IV. Conclusion

On the record developed, Mr. T is not eligible for PCA services. This decision does not preclude him from reapplying in the future, should his need for physical assistance change.

DATED this 10th day of February, 2015.

Signed

Rebecca Pauli
Administrative Law Judge

Adoption

The undersigned, by delegation from of the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 24th day of February, 2015.

By: *Signed*

Name: Rebecca L. Pauli
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication.]