



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

F.C.,

PETITIONER,

ADMINISTRATIVE ACTION

v.

FINAL AGENCY DECISION

HORIZON NJ HEALTH,

OAL DKT. NO. HMA-09082-17

RESPONDENT.

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 September 18, 2017 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 August 3, 2017.

The issue in this case concerns approval for partial dentures. As set forth in the Initial Decision, an individual may obtain a partial denture when evidence is submitted indicating a masticatory deficiency which is likely to impair the general health of the

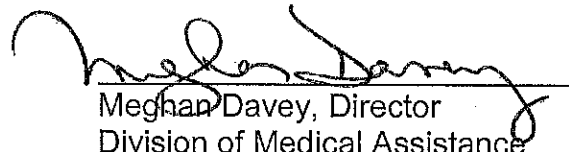
beneficiary. N.J.A.C. 10:56-2.13(a)(1). Partial dentures to replace posterior teeth are not granted if an individual has at least eight posterior teeth which are in good periodontal condition. N.J.A.C. 10:56-2.13(a)(3). The ALJ affirmed Horizon denial, finding that Petitioner does not meet these regulatory requirements because he has 10 posterior (back) teeth that are in contact with each other and in good periodontal condition. I have reviewed the case file in its entirety and find no reason to disturb the ALJ's decision.

THEREFORE, it is on this *12th* day of September 2017,

ORDERED:

That the Initial Decision affirming the denial of dental services is hereby

ADOPTED as the Final Decision.


Meghan Davey, Director
Division of Medical Assistance
and Health Services