



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.T.,

PETITIONER,

v.

HORIZON NJ HEALTH

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 10207-16

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 OAL case file and the documents in evidence. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to file a Final Agency Decision is February 2, 2016 in accordance with an Order of Extension. The Initial Decision was received on November 4, 2016.

I hereby ADOPT the Initial Decision affirming the denial of prior authorization for orthodontic braces. Medicaid payment is only available for medically necessary dental services. Orthodontic treatment is limited to handicapping malocclusions based upon an assessment scale. N.J.A.C. 10:56-2.15(b). A patient must receive 26 or more points for the orthodontic service to be covered under Medicaid.

At all levels of the appeal process, Petitioner failed to score higher than 24 points. Additionally, Petitioner has none of the extenuating circumstances described in N.J.A.C. 10:56-2.15(b) (such as an oral cleft) which would permit payment. As a result, the ALJ concluded that Petitioner failed to meet the medical necessity requirements needed to qualify for orthodontic braces under the Medicaid regulations. Based upon my review of the record, I agree with the ALJ's conclusion.

THEREFORE, it is on this ^{13th} day of JANUARY 2017,

ORDERED:

That the Initial Decision AFFIRMING the denial of authorization for braces is hereby ADOPTED as the Final Decision in this matter.



Meghan Davey, Director
Division of Medical Assistance
and Health Services