

Margulies, DDS, testified on behalf of United and stated that Petitioner's dental records did not exhibit the minimum number of criteria or points. ID at 2. Records from Petitioner's treating dentist set her assessment to five points,² based upon a moderately excessive overjet, overbite, spaces between her teeth and missing teeth. ID at 2 and R-5. Moreover, Petitioner's dental records fail to show any extenuating factors, such as facial or oral clefts, extreme antero-posterior relationships, extreme mandibular prognathism, a deep overbite where incisor teeth contact palatal tissue, or extreme bi-maxillary protrusion, that would warrant the approval of orthodontic services. ID at 2; See also N.J.A.C. 10:56-2.15(d)2. Dr. Margulies testified that if Petitioner's dental posture has caused her psychological distress, which is confirmed by a professional counselor, it may be considered an extenuating circumstance and Petitioner may reapply for authorization for orthodontic services at that time. ID at 2.

Based upon my review of the record and for the reasons set forth above, I concur with the ALJ that Petitioner does not meet the requirements for orthodontic treatment under the Medicaid regulations at this time.

THEREFORE, it is on this 1st day of JUNE 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance and Health Services

Jersey Orthodontic Assessment Tool for Comprehensive Treatment HLD (NJ-Mod3) assessment tool, which requires a score equal to or greater than twenty-six points as the criteria for eligibility. See R-5.

² The Initial Decision provides that Dr. Margulies testified that Petitioner's "dental status must meet five points." This is incorrect. As noted above, in order to establish eligibility for orthodontic services, a patient must meet or exceed twenty-six points. As the Assessment Tool shows that Petitioner only met five points, this appears to be a typographical error. R-5.