



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Medical Assistance and Health Services

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

B.N.,

PETITIONER,

v.

DIVISION OF MEDICAL ASSISTANCE :

AND HEALTH SERVICES AND :

FIDELIS CARE, :

RESPONDENTS. :

ADMINISTRATIVE ACTION

ORDER OF REMAND

OAL DKT. NO. HMA 02341-25

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the Office of Administrative Law (OAL) case file, the documents in evidence, and the Initial Decision. Petitioner filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is July 20, 2026, pursuant to N.J.S.A.

52:14B-10, which requires the Agency Head to adopt, reject, or modify the Initial Decision within 45 days of the agency's receipt.

The issue presented here is whether Fidelis Care properly denied Petitioner's request for coverage of specialized dental services, including precision implants and related treatment, under applicable policy provisions and Medicaid dental coverage requirements, policy provisions, and medical necessity criteria.

Petitioner's treating dentist, Dr. Sidney Chonowski, recommended extensive treatment, including a complete lower overdenture and semi-precision placement due to Petitioner's ongoing dental difficulties. ID at 2. Fidelis Care reviewed the request under its dental coverage criteria and determined that the requested services did not meet the requirements for approval. Ibid.

The Administrative Law Judge (ALJ) found that Petitioner's testimony regarding dental pain, discomfort and difficulties with traditional dentures was credible. ID at 3. The ALJ further found that the requested treatment was subject to coverage criteria requiring a demonstration of medical necessity and compliance with established clinical guidelines. Ibid. The ALJ also found the testimony of Dr. Rubinstein credible, who testified on behalf of Fidelis Care and explained the clinical review process and the basis for the denial. Ibid. Based on the evidence presented, the ALJ concluded that Fidelis Care appropriately denied Petitioner's request because the requested treatment did not satisfy the applicable medical necessity criteria. ID at 4. In particular, the ALJ noted that the Petitioner had not satisfied the requirement at N.J.A.C. 10-56-2.13 (c)(1) that prior authorization for implants may require member be "unable to function with a complete denture for at least two years."

Petitioner filed exceptions to the Initial Decision, asserting that the ALJ did not adequately consider evidence of a lengthy history of chronic periodontal disease, multiple

tooth extractions, and persistent difficulties with traditional dentures. Petitioner also argues that the record demonstrates compliance with the two-year denture-use requirements and relies on Dr. Moran's opinion that an implant-supported overdenture is the only viable treatment option due to significant bone loss.

After a thorough review of the record, including the Initial Decision and Petitioner's exceptions, I FIND that the Initial Decision lacks sufficient findings of fact or analysis for final DMAHS adjudication. While the Initial Decision concludes that Fidelis Care properly denied the request, it does not clearly address key evidence regarding Petitioner's denture use history, repeated complaints of pain and poor fit, or the opinions of Petitioner's treating dental providers on the necessity of an implant-supported treatment.

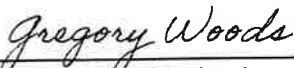
Most significantly, Petitioner's exceptions include evidence that Petitioner used dentures for a period well beyond the two-year requirements. The Initial Decision does not explain whether this evidence was considered or why it was deemed insufficient to meet the medical necessity standards. Similarly, the Initial Decision does not clearly address the weight given to the opinions of Petitioner's treating providers, including Dr. Moran, or explain why those opinions were rejected.

Accordingly, this matter is REMANDED to the OAL for further proceedings and supplemental findings. The ALJ is directed to make specific findings regarding: 1) the duration and extent of Petitioner's use of conventional dentures; 2) in light of these findings whether Petitioner met the applicable prerequisite requirements for implant-supported dentures; 3) the credibility and weight of the opinions of Dr. Moran and other treating providers; 4) whether the evidence shows that traditional dentures are no longer a viable option.

THEREFORE, it is on this 20th day of JULY 2026,

ORDERED:

That the Initial Decision is hereby REMANDED.



Gregory Woods, Assistant Commissioner
Division of Medical Assistance and Health Services