

State of New Jersey

DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES P.O. Box 712

CHRIS CHRISTIE Governor

Trenton, NJ 08625-0712

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

C.C..

PETITIONER.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

٧.

OAL DKT. NO. HMA 18562-15

HORIZON NJ HEALTH.

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 May 23, 2016 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 April 7, 2016.

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 she 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 q^{W} day of May 2016,

ORDERED:

That the Initial Decision affirming the denial of dental services is hereby ADOPTED as the Final Decision.

Megfar Davey, Director O Division of Medical Assistance and Health Services