



**State of New Jersey**

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

CAROLE JOHNSON  
*Commissioner*

JENNIFER LANGER JACOBS  
*Assistant Commissioner*

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

A.C.  
:  
:  
PETITIONER, : **ADMINISTRATIVE ACTION**  
:  
V. : **FINAL AGENCY DECISION**  
:  
UNITED HEALTHCARE, : **OAL DKT. NO. HMA 08917-19**  
:  
RESPONDENT. :

As Assistant Commissioner for the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the entire contents of the OAL case file. Neither party filed exceptions. Procedurally, the time period for the Agency Head to render a Final Agency Decision is December 16, 2019 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 in this case was received on November 1, 2019.

Based upon my review of the record, I hereby adopt the findings and conclusions of the Administrative Law Judge in their entirety, and I incorporate the same herein by reference. Summary disposition may be entered where there is no genuine issue as to any material fact and where the moving party is entitled to prevail as a matter of law. See Initial Decision at page 2, citing N.J.A.C. 1:1-12.5 and Brill v. Guardian Life Ins. Co. of Am., 142

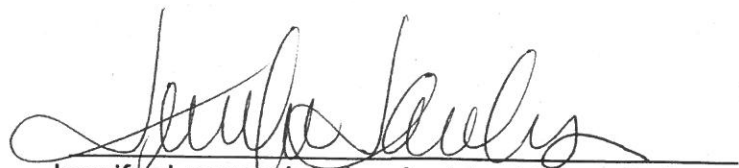
I agree with the Administrative Law Judge that there are no genuine issues of material fact that would require a hearing in this matter. I also agree that United Healthcare is entitled to prevail as a matter of law. This matter arises from the denial of dental services for Petitioner. Specifically, Petitioner sought authorization for orthodontic services. N.J.A.C. 10:56-2.15 (b)(1)ii provides that orthodontic treatment is not reimbursable for individuals age 21 or older. However N.J.A.C. 10:56-2.3 provides that limited or prohibited dental services may be considered on an individual basis. Petitioner does not have an automatically qualifying condition or other extenuating services, nor has he obtained a score of 26 points or higher on the New Jersey Orthodontic Assessment Tool (Tool). Petitioner's dentist did not state that he suffered from any of the conditions that could qualify him for orthodontic treatment. Additionally, Petitioner only scored 16 points on the Tool, well under the 26 point minimum standard.

I agree with the ALJ that based on Petitioner's age and his dentist's assessment of his dental conditions, he does not qualify for Medicaid reimbursement for the orthodontic services requested.

THEREFORE, it is on this *14th* day of DECEMBER 2019,

ORDERED:

THAT the Initial Decision is hereby ADOPTED.

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