

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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CAROLE JOHNSON

Commissioner

MEGHAN DAVEY

Director

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

Y.A.,

PETITIONER,

**ADMINISTRATIVE ACTION** 

V.

FINAL AGENCY DECISION

HORIZON.

OAL DKT. NO. HMA 12188-2018

RESPONDENT.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file and the Initial Decision - Dismissal. No Exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is January 14, 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 receipt. The Initial Decision was received on November 28, 2018.

This matter arises from the denial of dental services for Petitioner Y.A. by Respondent Horizon. Prior to the scheduled hearing date, Respondent Horizon submitted a letter to the Administrative Law Judge (ALJ) stating that Petitioner Y.A.'s request for dental services had been approved by Respondent. The letter further stated that Respondent had attempted to

contact Petitioner to advise that the requested dental services had been approved and to request that Petitioner contact the Office of Administrative Law (OAL) to withdraw the appeal. In the Initial Decision, the ALJ stated that neither Petitioner nor Respondent appeared on the scheduled hearing date nor had Petitioner contacted the OAL to withdraw the appeal. The ALJ concluded that the matter was no longer a contested case before the Office of Administrative Law and, by Initial Decision dated November 28, 2018, ordered that the matter be dismissed.

Based on my review of the record, I concur with the ALJ's findings and conclusions and hereby ADOPT the Initial Decision.

THEREFORE, it is on this \\day of JANUARY 2019,

ORDERED:

That the Initial Decision dismissing Petitioner's appeal in this matter is hereby ADOPTED.

Meghan Davey, Director

Division of Medical Assistance

and Health Services