

State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
TRENTON, NJ 08625-0712

SARAH ADELMAN Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

A.B.,

PETITIONER.

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HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY,

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 04298-21

RESPONDENT.

As Assistant Commissioner of the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the OAL case file. Petitioner filed exceptions. Procedurally, the time period for the Agency Head to file a Final Decision was September 30, 2021, 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 August 12, 2021. The time to file the Final Decision was extended to November 15, 2021.

This matter arises from Horizon Blue Cross Blue Shield of New Jersey's denial of dental services, specifically surgical placement of implant body and associative devices due to these services not being covered under a regulation and/or written

criteria in the New Jersey Manual for Dental Services.

The issue here concerns whether dental implants are a reimbursable service for Petitioner. Under Medicaid regulations, only medically necessary dental services are covered and requests for dental implants are limited to those that demonstrate the beneficiary has a facial anomaly, deformity, or has been unable to function with a complete denture for at least two years and other surgical corrections have been unsuccessful in improving the retention of the denture. N.J.A.C. 10:56-1.1 and 2.13(c)(1). Petitioner does not meet any of the specific exceptions and there is no evidence of extenuating circumstances warranting dental implants.

By Initial Decision dated August 12, 2021, the ALJ denied petitioner's appeal.

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

THEREFORE, it is on this 9th day of NOVEMBER 2021,

ORDERED:

That the Initial Decision is hereby ADOPTED.

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