

In order to assess the Petitioner's request for orthodontic services, her patient's records, x-rays and the New Jersey Orthodontic Assessment Tool or HLD form is reviewed. The HLD form is completed by the treating orthodontist. Medicaid regulations cover only medically necessary dental services and orthodontic treatment is limited to individuals with handicapping malocclusions that meet or exceed 26 points based on an assessment scale. N.J.A.C. 10:56-2.1 and 2.15(b). Petitioner's treating dentist provided records that set her assessment scale to 17, well below the required 26. ID at 4.

United HealthCare's orthodontist consultant, Dr. Seth Marguiles, testified that he reviewed the case and disagreed with the assessment score assigned to the conditions of a deep impinging overbite and labiolingual spread. ID at 4. He testified that he did not find evidence that Petitioner's deep bite caused trauma to the mouth nor was there evidence that the labiolingual spread warranted three points. Each point is supposed to align with a millimeter distance between the tooth and arch. Dr. Marguiles stated that the records showed a one millimeter deviation that would account for one point. As such he would have found Petitioner's condition to be 12 points on the scale. Additionally Dr. Marguiles did not find any evidence that there were extenuating circumstances or other medical conditions that warranted approval.

As a threshold, Petitioner's prescribing dentist did not award her the necessary 26 points to have the procedure approved. Dr. Marguiles' assessment of the records reflected that Petitioner's actual score should be lower. Additionally, there is no evidence that Petitioner had extenuating factors such as a documented psychological or medical condition. N.J.A.C. 10:56-2.15(d). Thus, I FIND that United HealthCare properly denied the request for orthodontic services.

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

THEREFORE, it is on this 15th day of AUGUST 2020,

ORDERED:

That the Initial Decision in this matter is hereby ADOPTED.



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