

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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SARAH ADELMAN Acting Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

M.Q.

PETITIONER.

V.

HORIZON NJ HEALTH.

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 07734-20

As Assistant Commissioner for the Division of Medical Assistance and Health Services, I have reviewed the record in this case, including the Initial Decision, the OAL case file and the documents filed below. Neither party filed exceptions in this matter. Procedurally, the time for the Agency Head to file a Final Decision is October 18, 2021 in accordance with an Order of Extension.

The matter arises regarding the denial of Petitioner's request for Durable Medical Equipment (DME), specifically a wheelchair accessory, power seat elevation system. DME is an item or apparatus that is primarily or customarily prescribed to serve a medical purpose and is medically necessary for the beneficiary for whom requested; is generally

not useful to a beneficiary in the absence of a disease, illness, injury, or disability; and is capable of withstanding repeated use (durable) and is nonexpendable. N.J.A.C. 10:59-1.2. In light of Petitioner's testimony, there must be some analysis or explanation as to why the requested DME is not medically necessary under these particular circumstances. While Petitioner's testimony, unsupported by any medical documentation, is not sufficient to establish a medical need, his claims should be reviewed and addressed by Horizon.

For these reasons, I am REVERSING the Initial Decision and RETURNING the matter to Horizon to review Petitioner's request and issue a new determination within thirty days.

THEREFORE, it is on this day of OCTOBER 2021,

ORDERED:

That the Initial Decision is hereby REVERSED and RETURNED to Horizon.

Jennifer Langer Jacobs, Assistant Commissioner Division of Medical Assistance

And Health Services