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In the Matter of

E.F.

FINAL AGENCY DECISION

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This matter involves the Petitioner E.F.'s appeal of the Division of Developmental Disabilities' (Division) denial of a special circumstance request relating to E.F.'s contribution to care.

I reviewed the Recommended Decision submitted on February 22, 2018 and the Petitioner's submissions, including his objections to the Recommended Decision dated March 8, 2018.

Petitioner, like other individuals residing in placements funded by the Division, is responsible for contributing financially to the cost of providing his care and maintenance. N.J.S.A. 30:4-60. The rules for contribution to care permit the Division to lower the amount the individual owes under certain special circumstances. N.J.A.C. 10:46D-3.1(g).

After oral surgery for a dental infection, petitioner sought treatment from his primary dentist for additional dental bridge work. Although Petitioner knew that his primary dentist was an out-of-network care provider, he failed to seek pre-authorization from his Medicaid Managed Care Organization (MCO) for the bridge work. The MCO denied his claim and denied his subsequent appeal.

Petitioner asked the Division to treat the cost of the bridge work as a special circumstance. The Division denied Petitioner's special circumstance request and he appealed.

Although the rules permit a special circumstance exception for unavoidable medical costs approved by the Division, Petitioner failed to provide proof that the costs were not preventable. Medicaid denied his claim because Petitioner sought treatment

from an out-of-network dentist and failed to seek pre-authorization as required in his MCO's rules.

After careful review, I agree with and **ADOPT** the findings and conclusions of the Recommended Decision. The Division properly denied Petitioner's special circumstance request.

This is my Final Decision.



Jonathan S. Seifried  
Acting Assistant Commissioner  
Division of Developmental Disabilities



Date