



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

MEGHAN DAVEY
Director

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

B.S.,

PETITIONER,

v.

UNITEDHEALTHCARE,

RESPONDENT.

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ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 3910-2018

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence, and the contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is August 9, 2018, 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 the agency's receipt. The Initial Decision was received on June 25, 2018.

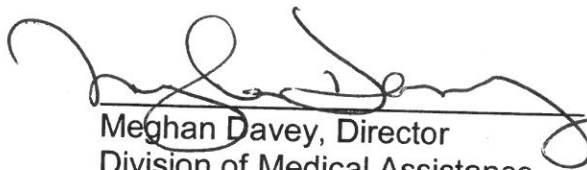
Petitioner is seeking authorization to see an out-of-network provider. UnitedHealthcare denied the request and identified three providers with comparable training and experience. Petitioner argued that she should be entitled to see the out-of-network provider under continuity of care.

Based upon my review of the record, I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their entirety and incorporate the same herein by reference. The Initial Decision found that Petitioner failed to demonstrate that the services could not be obtained through an in-network provider or that the continuity of care requirements applied to this situation. I agree that Petitioner is able to obtain necessary services through an in-network provider. Thus, I agree that United HealthCare demonstrated that Petitioner is not entitled to coverage for an out-of-network provider.

THEREFORE, it is on this 8th day of AUGUST 2018,

ORDERED:

That the Initial Decision is hereby ADOPTED.



Meghan Davey, Director
Division of Medical Assistance
and Health Services