



**State of New Jersey  
 Department of Human Services  
 Division of Medical Assistance and Health Services  
 P.O. BOX 712  
 TRENTON NJ 08625-0712**

**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**

M.C.,	:	
	:	
PETITIONER,	:	<b>ADMINISTRATIVE ACTION</b>
	:	
v.	:	<b>FINAL AGENCY DECISION</b>
	:	
	:	<b>OAL DKT. NO. HMA 08519-18</b>
	:	
UNITED HEALTHCARE,	:	
	:	
RESPONDENTS.	:	


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 entire 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 October 25 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 in this case was received on September 10, 2018.

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 issue in this case concerns the denial of Petitioner's request for out-of-network mid-wife services. Petitioner contacted approximately ten of the twenty-six midwives in the United Healthcare network, none of whom, according to Petitioner, were willing to perform at home birth. Petitioner, who was not being seen by an obstetrician, then chose to engage the services of the midwife she had used previously and whose services were covered by private insurance. In order for these out-of-network services to be authorized, Petitioner must establish their medical necessity. I agree with the Administrative Law Judge that the Petitioner did not submit any evidence to rebut United Healthcare's determination or support a finding that Petitioner's proposed out-of-network mid-wife services for an home delivery are medically necessary.

THEREFORE, it is on this <sup>5th</sup> day of OCTOBER 2018,

ORDERED:

That the Initial Decision affirming United Healthcare's denial is hereby ADOPTED.

  
Meghan Davey, Director  
Division of Medical Assistance  
and Health Services