

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Approved	Appeal Number:	2176797
Decision Date:	02/01/2022	Hearing Date:	10/22/2021
Hearing Officer:	Radha Tilva	Record Open to:	11/29/2021

Appearance for Appellant:

Pro se

Appearance for Commonwealth Care Alliance (CCA):

Cassandra Horne, Appeals and
Grievances Manager



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street, Quincy, Massachusetts 02171*

APPEAL DECISION

Appeal Decision:	Approved	Issue:	Eligibility - Dental
Decision Date:	02/01/2022	Hearing Date:	10/22/2021
MassHealth's Rep.:	Cassandra Horne	Appellant's Rep.:	Pro se
Hearing Location:	Quincy Harbor South	Aid Pending:	No

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

Through a notice dated July 30, 2021, Commonwealth Care Alliance (CCA), denied a prior authorization request for service D6212 and D6240 for tooth #25 (Exhibit 1). The appellant filed this appeal in a timely manner on September 2, 2021 (see 130 CMR 610.015(B) and Exhibit 2). Challenging a prior authorization request is valid grounds for appeal (see 130 CMR 610.032).

At hearing the record was left open until October 26, 2021 for appellant to submit a copy of a letter of medical necessity. On November 2, 2021 the CCA representative responded that upon review the denial would be upheld. A copy of the letter of medical necessity was not sent to the Hearing Officer during the record open period. On November 29, 2021 upon the Hearing Officer's request the CCA representative forwarded a copy of the letter.

It should be noted that the Hearing Officer was out on medical leave for most of November 2021 through the end of January 2022.

Action Taken by MassHealth

MassHealth denied a prior authorization request for service D6212 and D6240, a dental bridge from front lower tooth (Tooth #25).

Issue

The appeal issue is whether MassHealth was correct in denying appellant's dental bridge for Tooth #25.

Summary of Evidence

The representative from CCA testified that appellant is a CCA One Care member who submitted a prior authorization request on July 16, 2021 for D6212 and D6240 on Tooth #25 for cast noble metal and porcelain fused to high noble metal (a covered bridge). The request was denied that same date because the request was deemed not medically necessary as a bridge is covered if the provider's notes show why a different treatment (partial dentures) will not fix the medical problem. Appellant filed an appeal on July 30, 2021 and an independent reviewer determined that same day that the treatment is not medically necessary as the treatment proposed is beyond the scope of coverage and does not meet the criteria for medical necessity.

The CCA representative reiterated that the One Care provider manual states that fixed bridges are only considered where partial dentures are not indicated. Moreover, the representative stated that CCA reached out to the provider for further clarification, but the provider failed to communicate.

The appellant stated that her dentist sent supporting documentation to show medical necessity of the bridge. The appellant further stated that she has very limited space between tooth number 25 and 26 and that a prosthesis would not work.

During the record open period a letter was sent from Dr. Sharifi which stated that appellant has a shallow vestibule and active tongue with very limited space between the teeth. Replacing tooth number 25 with a denture would be counter productive and the patient would not be able wear a large prosthesis to replace one tooth. The letter further stated that leaving the space would leave to food impaction, migration of teeth to space or further complication, hence for it is medically necessary to receive a pontic on tooth number 25.

This letter was reviewed by CCA on November 2, 2021 and the hearing officer received the following response "I attest to reviewing the appeal...and I still uphold the denial as medical necessity for the fixed bridge has not been established as MA health defines the replacement by a partial denture."

On November 29, 2021 the appellant stated that the standard of care for a single missing lower front tooth is a bridge, not a partial denture. Moreover, the appellant stated that her prosthodontist was clear as to why a partial denture would not work for her mouth as she has a shallow vestibule and active tongue which makes her feel like she is going to choke. The appellant also stated that she was given a lower denture in the past and was unable to wear it and asked that the decision made by CCA be overturned.

Findings of Fact

Based on a preponderance of the evidence, I find the following:

1. Appellant is a CCA One Care member who submitted a prior authorization request on July 16, 2021 for D6212 and D6240 on Tooth #25 for cast noble metal and porcelain fused to high noble metal (a covered bridge).
2. The request was denied on July 16, 2021 because it was deemed not medically necessary as a bridge is covered if the provider's notes show why a different treatment (partial dentures) will not fix the medical problem.
3. Appellant filed an appeal on July 30, 2021 and an independent reviewer determined that same that the treatment is not medically necessary as the treatment proposed is beyond the scope of coverage and does not meet the criteria for medical necessity.
4. Per appellant's provider, partial dentures would not work for appellant because she has a shallow vestibule and active tongue which makes space limited in her mouth.

Analysis and Conclusions of Law

CCA's 2021 Provider Manual states that, for One Care members, a fixed bridge is to be considered in cases where a corresponding partial denture would not be tolerated (CCA Provider Manual, see page 60). In addition, the manual states that situations where a fixed bridge may be considered would include documented conditions such as maxillary gag reflex, patient inability to remove denture to clean, recurrent decay on the margins of an existing bridge, and where the member/patient is classified as special needs (*Id.*).

The appellant's provider, Dr. Sharifi, adequately documents the necessity of a fixed bridge and points to two specific reasons why a partial denture would not be tolerated. The appellant's testimony that the limitation in space in her mouth causes her to feel as if she is choking is persuasive. CCA's response during the record open period, on the other hand, is vague and does not provide any explanation as to why appellant's provider's letter does not demonstrate medical necessity. Ultimately, appellant's testimony that she has tried to use a partial denture unsuccessfully supports that fixed bridge should be considered and in this case is the medically necessary standard of care. Based on the above analysis this appeal is APPROVED.

Order for MassHealth

Rescind denial dated July 30, 2021 and approve prior authorization request for service D6212 and D6240 for tooth #25.

Implementation of this Decision

If this decision is not implemented within 30 days after the date of this decision, you should contact your MassHealth Enrollment Center. If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

Radha Tilva
Hearing Officer
Board of Hearings

cc:

MassHealth Representative: ICO Commonwealth Care Alliance, Attn: Cassandra Horne, 30 Winter Street, Boston, MA 02108