

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2204174
Decision Date:	7/19/2022	Hearing Date:	07/11/2022
Hearing Officer:	Susan Burgess-Cox		

Appearance for Appellant:

Pro se

**Appearance for MassHealth Integrated
Care Organization (ICO):**

Cassandra Horne, Jessica Medeiros &
Kaley Emery



*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:	Denied	Issue:	Prior Authorization
Decision Date:	7/19/2022	Hearing Date:	07/11/2022
ICO's Rep.:	Cassandra Horne, Jessica Medeiros & Kaley Emery	Appellant's Rep.:	Pro se
Hearing Location:	All Parties Appeared by Telephone	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 May 12, 2022, Commonwealth Care Alliance, (CCA), a MassHealth-contracted Integrated Care Organization (ICO), denied a Level 1 Appeal regarding the surgical placement of an implant body: endosteal implant for tooth # 30 and 31 because the treatment proposed is beyond the scope of coverage and does not meet the criteria for medical necessity. (Exhibit 1). CCA notes that medical necessity means you reasonably need the services to prevent, diagnose, or treat a medical condition. (Exhibit 1). The notice also states that medical necessity means there is no other similar, less expensive service that is suitable for you. (Exhibit 1).

The appellant filed this external appeal of the final decision of the ICO on June 2, 2022. (130 CMR 610.018; Exhibit 2).

A decision of an ICO to “deny or provide limited authorization of a requested

service, including the type or level of service, including determinations based on the type or level of service, requirements for medical necessity, appropriateness, setting, or effectiveness of a covered benefit" is valid grounds for appeal. (130 CMR 610.032(B)).

Action Taken by the Integrated Care Organization

The MassHealth-contracted Integrated Care Organization, Commonwealth Care Alliance (CCA), denied the appellant's prior authorization request for the surgical placement of an implant body: endosteal implant for tooth number 30 and 31.

Issue

Whether Commonwealth Care Alliance (CCA) was correct in denying the appellant's prior authorization request for the surgical placement of an implant body: endosteal implant for tooth number 30 and 31.

Summary of Evidence

All parties appeared by telephone. Documents from Commonwealth Care Alliance (CCA) were incorporated into the hearing record as Exhibit 4. Documents from the appellant were incorporated into the hearing record as Exhibit 5.

Commonwealth Care Alliance (CCA), a MassHealth Integrated Care Organization (ICO) received a prior authorization request for an implant on tooth number 30 and 31. (Testimony; Exhibit 4). On April 9, 2022, CCA denied the request as it was not a covered code for either tooth. (Testimony; Exhibit 4).

On May 9, 2022, the appellant filed a verbal request for a standard 30-day appeal with CCA. (Testimony; Exhibit 4). On May 11, 2022, CCA notified the appellant of the right to submit additional documentation that may affect the outcome of the appeal. (Testimony; Exhibit 4). On May 12, 2022, CCA issued a notice denying the Level 1 appeal. (Testimony; Exhibit 1; Exhibit 4).

As an ICO, CCA is responsible for providing enrolled members with the full continuum of Medicare- and MassHealth covered services. MassHealth does not cover implants of any type or description. As an ICO, CCA can provide more to members than MassHealth allows, but not less. CCA does cover implants with certain limitations including: a maximum of 2 implants per arch

when needed to support a complete lower or upper denture or one per lifetime per tooth allowed to replace 1 missing anterior tooth when no other teeth are missing, excluding wisdom teeth. (Testimony; Exhibit 4). The teeth covered are #6-11 and #22-27. (Testimony; Exhibit 4). The appellant's request was for an implant on tooth number 30 and 31. (Testimony; Exhibit 1; Exhibit 4). The CCA representative noted that while CCA would not cover an implant for tooth number 30 or 31, CCA would possibly cover an alternative, less costly treatment such as a denture.

The appellant submitted a letter from a dentist stating the dentist was unsure why implants were denied as the appellant is a young individual who requires molar occlusion to properly eat and chew. (Exhibit 5). The provider asked that CCA evaluate this case and reconsider the decision, so the appellant can chew on the right side where there are no molar teeth. (Exhibit 5). The CCA representative responded to this submission stating that it did not demonstrate medical necessity for this procedure. The appellant enrolled in CCA in March 2022. Prior to enrollment in CCA, the appellant privately paid for implants on several teeth. The appellant testified that the submission of the prior authorization request was based on information regarding CCA offering coverage for up to 2 implants each year. The appellant was not aware of any limitations related to the location or purpose of the two implants.

Findings of Fact

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

1. Commonwealth Care Alliance (CCA), a MassHealth Integrated Care Organization (ICO) received a prior authorization request for an implant on tooth number 30 and 31.
2. On April 9, 2022, CCA denied coverage as it was not a covered code for each tooth.
3. On May 9, 2022, the appellant filed a verbal request for a standard 30-day appeal with CCA.
4. On May 12, 2022, CCA issued a notice denying the Level 1 appeal.
5. CCA covers implants with certain limitations including: a maximum of 2 implants per arch when needed to support a complete lower or upper denture or one per lifetime per tooth allowed to replace 1 missing anterior

tooth when no other teeth are missing, excluding wisdom teeth.

6. The teeth covered are #6-11 and #22-27.

Analysis and Conclusions of Law

As a MassHealth ICO, CCA will authorize, arrange, integrate, and coordinate the provision of all covered services for the member. (130 CMR 508.007). Upon enrollment, the ICO is required to provide evidence of its coverage, the range of available covered services, what to do for emergency conditions and urgent care needs, and how to obtain access to specialty, behavioral health, and long-term services and supports. (130 CMR 508.007).

CCA is responsible for providing enrolled members with the full continuum of Medicare- and MassHealth covered services. (130 CMR 450.105). Those services include dental services governed by the regulations at 130 CMR 420.000. As an ICO, CCA can provide more to members than MassHealth allows but not less.

MassHealth pays only for medically necessary services to eligible MassHealth members and may require that medical necessity be established through the prior authorization process. (130 CMR 420.410(A)(1)).

A service is "medically necessary" if:

- (1) it is reasonably calculated to prevent, diagnose, prevent the worsening of, alleviate, correct, or cure conditions in the member that endanger life, cause suffering or pain, cause physical deformity or malfunction, threaten to cause or to aggravate a handicap, or result in illness or infirmity; and
- (2) there is no other medical service or site of service, comparable in effect, available, and suitable for the member requesting the service, that is more conservative or less costly to MassHealth. (130 CMR 450.204(A)).

MassHealth does not cover implants of any type or description. (130 CMR 420.421(B)(5)). CCA covers implants with certain limitations including only authorizing them for the following teeth: #6-11 and #22-27. The appellant's request was for an implant on tooth number 30 and 31.

Neither the MassHealth regulations nor the CCA provider manual authorize coverage for an implant on tooth number 30 or 31. Additionally, the appellant

did not present any evidence to demonstrate that a less costly alternative would not be suitable. (130 CMR 450.204(A)).

The decision made by the ICO was correct.

This appeal is denied.

Order for MassHealth Integrated Care Organization

None.

Notification of Your Right to Appeal to Court

If you disagree with this decision, you have the right to appeal to Court in accordance with Chapter 30A of the Massachusetts General Laws. To appeal, you must file a complaint with the Superior Court for the county where you reside, or Suffolk County Superior Court, within 30 days of your receipt of this decision.

Susan Burgess-Cox
Hearing Officer
Board of Hearings

cc:

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