

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2205106
Decision Date:	9/27/2022	Hearing Date:	08/16/2022
Hearing Officer:	Scott Bernard		

Appearance for Appellant:
Pro se via telephone

Appearance for MassHealth:
Dr. Robert Nersasian *via telephone*



*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:	Dental – Prior Authorization (PA) - Fixed Prosthodontics
Decision Date:	9/27/2022	Hearing Date:	08/16/2022
MassHealth’s Rep.:	Dr. Robert Nersasian	Appellant’s Rep.:	<i>Pro se</i>
Hearing Location:	Quincy Harbor South		

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 June 13, 2022, MassHealth denied the appellant's PA request for three procedures apiece (surgical placement of implant body: endosteal implant (D6010); custom abutment (D6057); and abutment supported porcelain/ceramic crown (D6058)) for teeth 18, 19, 28, and 30 because MassHealth determined that these services were not covered. (See 130 CMR 420.429; Exhibit (Ex.) 1; Ex. 5, pp. 3-4). The appellant filed this appeal in a timely manner on July 8, 2022. (See 130 CMR 610.015(B) and Ex. 2). Denial of assistance is valid grounds for appeal. (See 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant's PA request for services under procedure codes D6010, D6057, and D6058 for teeth 18, 19, 28, and 30.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 420.429, in determining that the requested services were not covered.

Summary of Evidence

The MassHealth representative testified that he is a maxillofacial surgeon who has been with MassHealth for over 30 years. The MassHealth representative stated that the appellant submitted a PA

request for four dental implants. (Ex. 5). The MassHealth representative explained that MassHealth does not cover dental implants for any person over the age of 21. The MassHealth representative stated the appellant is an individual over the age of 21 and for that reason MassHealth denied the request for services. (Ex. 1; Ex. 3; Ex. 5). The MassHealth representative recommended that the appellant return to her dentist and discuss other options that MassHealth will cover.

The appellant confirmed that she is over the age of 21. She stated that she has Sjogren's syndrome, which causes her to have dry mouth, which is a reason she thought she might be covered. She stated that she has only her five bottom front teeth left.

The MassHealth representative responded by stating that if anything the dry mouth caused by the appellant's Sjogren's syndrome would make it more difficult for an implant to be maintained. The MassHealth representative stated that the gingiva requires saliva to remain nourished. The MassHealth representative stated that he has practiced surgery for over forty years, and in that time, he has turned down 75% of requests for tooth implants because they are generally not viable. The MassHealth representative again encouraged the appellant to go back to her dentist and explore partial dentures. The appellant stated that she does have partial dentures but that they hurt her.

Findings of Fact

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

1. The appellant submitted a PA request for four dental implants. (Ex. 5)
2. The appellant is an individual over the age of 21. (Ex. 3; Ex. 5; Testimony of the MassHealth representative; Testimony the appellant).
3. MassHealth does not cover dental implants for any person over the age of 21.- (Testimony of the MassHealth representative).
4. MassHealth denied the appellant's PA request for four dental implants. (Ex 1; Ex. 5).

Analysis and Conclusions of Law

MassHealth pays for fixed partial dentures/bridge for anterior teeth only for members younger than 21 years old with two or more missing permanent teeth. (130 CMR 420.429(A)). The appellant is an individual over the age of 21. MassHealth does not pay for fixed partial dentures for a person, like the appellant, who is over the age of 21.

For the above stated reason, the appeal is DENIED.

Order for MassHealth

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.

Scott Bernard
Hearing Officer
Board of Hearings

cc:

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