

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Dismissed	Appeal Number:	2205403
Decision Date:	8/31/2022	Hearing Date:	08/24/2022
Hearing Officer:	Susan Burgess-Cox	Record Open to:	08/30/2022

Appearance for Appellant:



Appearance for MassHealth:

Dr. Carl Perlmutter



*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:	Dismissed	Issue:	Prior Authorization
Decision Date:	8/31/2022	Hearing Date:	08/24/2022
MassHealth's Rep.:	Dr. Carl Perlmutter	Appellant's Rep.:	Father
Hearing Location:	All Parties Appeared by Telephone		

The hearing was conducted pursuant to the Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. MassHealth denied the appellant's prior authorization request for comprehensive orthodontic treatment. Denial of assistance is valid grounds for appeal. (130 CMR 610.000).

Pursuant to 130 CMR 420.431(C)(3), MassHealth pays for comprehensive orthodontic treatment, subject to prior authorization, once per member per lifetime under the age of 21 and only when the member has a handicapping malocclusion. MassHealth determines whether a malocclusion is handicapping based on clinical standards for medical necessity as described in Appendix D of the Dental Manual. (130 CMR 420.431(C)(3)).

At the hearing, the MassHealth representative noted that MassHealth did not have a cephalometric X-ray which could impact MassHealth's review of the records and decision. The record was held open to provide the appellant's representative with the opportunity to present any additional evidence. (Exhibit 5). During the record open period, the appellant's representative presented evidence that resulted in MassHealth adjusting their decision and approving the appellant's prior authorization request for comprehensive orthodontic treatment. (Exhibit 6). As a result of the adjustment made by MassHealth, the appellant agreed to withdraw the appeal. (Exhibit 7).

As MassHealth has adjusted their initial determination and the appellant agreed to this adjustment, this appeal is dismissed. (130 CMR 610.051(B)).

Susan Burgess-Cox
Hearing Officer
Board of Hearings

cc:
MassHealth Representative: DentaQuest 1, MA