

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2303072
Decision Date:	6/8/2023	Hearing Date:	05/19/2023
Hearing Officer:	Susan Burgess-Cox	Record Open to:	05/24/2023

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Dr. Sheldon Sullaway



*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:	6/8/2023	Hearing Date:	05/19/2023
MassHealth's Rep.:	Dr. Sheldon Sullaway	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 March 2, 2023, MassHealth denied the appellant's prior authorization request for a white glass with high gold content cap (crown) for a bridge for tooth #11 and #13 (procedure D6750) and a false tooth for a bridge for tooth #12 (procedure D6240). (130 CMR 420.425(C); Exhibit 1). The appellant filed a timely request for a hearing on April 17, 2023. (130 CMR 610.015(B); Exhibit 2). Denial of assistance is valid grounds for appeal. (130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant's prior authorization request for a white glass with high gold content cap (crown) for a bridge for tooth #11 and #13 (procedure D6750) and a false tooth for a bridge for tooth #12 (procedure D6240).

Issue

Whether MassHealth was correct in denying the appellant's prior authorization request.

Summary of Evidence

The MassHealth representative, a licensed dentist representing DentaQuest, the organization that administers the MassHealth dental program, testified that MassHealth received a prior authorization request for a white glass with high gold content cap (crown) for a bridge for tooth #11 and #13 (procedure D6750) and a false tooth for a bridge for tooth #12 (procedure D6240). The MassHealth representative noted that MassHealth pays for some crowns but not the crowns listed in the prior authorization request on appeal as they are high gold content caps, not porcelain or stainless steel and the request does not meet other regulatory requirements.

The procedure for tooth #12 involves a fixed partial bridge. The MassHealth representative testified that MassHealth does not pay for fixed partial dentures for members 21 years of age or older. The appellant is over the age of 21 so does not meet the requirements for this service.

The appellant testified that she was approved for this service in May 2022 when she had MassHealth coverage through Commonwealth Care Alliance (CCA), an Integrated Care Organization (ICO). The appellant is currently enrolled in a different ICO, United Healthcare. The appellant testified that a representative from United Healthcare said they would cover this service. The decision on appeal is from MassHealth, not United Healthcare. The appellant testified that she did not have an internal appeal through United Healthcare and did not present a notice issued by United Healthcare. The notice on appeal was issued by MassHealth in March 2023.

The record was held open to provide the appellant with the opportunity to present any additional evidence. (Exhibit 5). Documents presented by the appellant were incorporated into the hearing record as Exhibit 6. The records presented by the appellant include a release of information form, the scheduling letter from the Board of Hearings, X-rays, a March 2022 eligibility notice from MassHealth and screen shots of plan coverage from United Healthcare including information about the portion that the appellant pays for certain procedures. (Exhibit 6).

The MassHealth representative responded that he reviewed the records on two separate occasions and he still had to uphold the decision on appeal. (Exhibit 7). The MassHealth representative noted that he does not represent United Healthcare, the requested procedures were submitted to MassHealth and the agency does not pay for the procedures requested. (Exhibit 7). The MassHealth representative stated that the appellant was correct in her assertion that crowns are covered by MassHealth. (Exhibit 7). However, MassHealth only covers certain types of crowns and those listed in this prior authorization request are not covered for members 21 years of age or older. (Exhibit 7).

Findings of Fact

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

1. The appellant is over 21-years old.

2. The appellant's provider submitted a prior authorization request for a white glass with high gold content cap (crown) for a bridge for tooth #11 and #13 (procedure D6750) along with a false tooth for a bridge for tooth #12 (procedure D6240).
3. MassHealth denied this request as the services are not covered by MassHealth.
4. In May 2022, the appellant was enrolled in Commonwealth Care Alliance (CCA), an Integrated Care Organization (ICO).
5. In May 2022, the appellant filed an appeal regarding a decision issued by CCA denying prior authorization for a similar procedure.
6. The appellant is currently enrolled in United Healthcare.
7. The decision on appeal is from MassHealth, not an ICO.

Analysis and Conclusions of Law

Pursuant to 130 CMR 420.425(C)(2), MassHealth pays for the following crown materials on permanent incisors, cuspids, bicuspid, and first and second molars:

- a) crowns porcelain fused to predominantly base metal;
- b) crowns made from porcelain or ceramic;
- c) stainless steel crowns only if crown porcelain fused to predominately base metal is unsuitable and extraction (the alternative treatment) would cause undue medical risk for a member with one or more medical conditions that include, but are not limited to
 1. hemophilia;
 2. history of radiation therapy;
 3. acquired or congenital immune disorder;
 4. severe physical disabilities such as quadriplegia;
 5. profound intellectual or developmental disabilities; or
 6. profound mental illness; and
 7. posts and cores and/or pin retention.
- d) post, core and pin retention.

The appellant is over 21 years of age and requested a white glass with high gold content cap (crown) for a bridge for tooth #11 and #13 (procedure D6750) along with a false tooth for a bridge for tooth #12 (procedure D6240). These are not covered services.

In addition to the program regulations, MassHealth has a Dental Manual with an Appendix that identifies covered services, provides specific criteria for coverage and defines individual age and

service limitations for MassHealth members. (MassHealth Dental Manual, Appendix D). Exhibit B of this Appendix lists covered benefits for members 21 years of age and older. The two procedure codes requested by the appellant's dentist, D6750 and D6240 are not listed under these covered benefits. (MassHealth Dental Manual, Appendix D).

While the appellant provided testimony and presented evidence of past approval by Commonwealth Care Alliance, an Integrated Care Organization (ICO) and possible coverage by United Healthcare, neither entity is party to this appeal. This decision can only address the decision made by MassHealth. Just so the appellant is aware, one cannot always compare a decision made by an ICO to that of MassHealth as an ICO can always provide more coverage than MassHealth allows but never less. Therefore, it is possible that CCA covered this service and possibly United Healthcare will in the future, but neither entity is part of this appeal and it is clear that these services are not covered by MassHealth.

The decision made by MassHealth was correct.

This 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.

Susan Burgess-Cox
Hearing Officer
Board of Hearings

cc:
MassHealth Representative: DentaQuest 1, MA