

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2303557
Decision Date:	6/26/2023	Hearing Date:	06/23/2023
Hearing Officer:	Thomas J. Goode		

Appearance for Appellant:
Pro se

Appearance for MassHealth:
Sheldon Sullaway, DMD, DentaQuest



*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:	6/26/2023	Hearing Date:	06/23/2023
MassHealth's Rep.:	Sheldon Sullaway, DMD, DentaQuest	Appellant's Rep.:	Pro se
Hearing Location:	Remote		

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 27, 2023, MassHealth denied Appellant's prior authorization request for immediate dentures (130 CMR 420.428(B) and Exhibit 1). Appellant filed this appeal in a timely manner on May 1, 2023 (130 CMR 610.015(B) and Exhibit 2). Denial of assistance is valid grounds for appeal (see 130 CMR 610.032). A hearing was scheduled for May 19, 2023 and was rescheduled by the Board of Hearings to June 23, 2023 (Exhibit 3).

Action Taken by MassHealth

MassHealth denied Appellant's prior authorization request for immediate dentures.

Issue

The appeal issue is whether MassHealth was correct, pursuant to 130 CMR 420.428(B), in denying Appellant's prior authorization request for immediate dentures.

Summary of Evidence

MassHealth was represented by a licensed dental consultant who appeared by telephone and testified to 40 years of clinical experience, and status as a professor of dental medicine at Tufts University Dental School. On March 28, 2023, a prior authorization request was submitted on Appellant's behalf for procedure codes D5130 and D5140 which are immediate upper and lower dentures. Appellant is over 21 years of age. The request was denied pursuant to 130 CMR 420.428(B) as immediate dentures are only authorized for members under 21 years of age.

Appellant appeared by telephone and testified that he understood the MassHealth restriction on payment for immediate dentures but hoped to have immediate dentures approved in place of complete dentures which would take several months to fabricate. He stated that immediate dentures would be the only dentures he would request MassHealth payment for because it would help him emotionally and allow him to return to work, after which he intends to have implants placed when he has private insurance.

Findings of Fact

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

1. On March 28, 2023, a prior authorization request was submitted on Appellant's behalf for procedure codes D5130 and D5140 which are immediate upper and lower dentures.
2. Appellant is over 21 years of age.

Analysis and Conclusions of Law

The MassHealth agency pays for complete dentures for all members. The MassHealth agency pays for immediate dentures, including relines and post insertion procedures and placement of identification, for members younger than 21 years old (130 CMR 420.428(B)). Appellant is older than 21 years of age; therefore, MassHealth correctly denied the prior authorization request for immediate dentures.

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.

Thomas J. Goode
Hearing Officer
Board of Hearings

cc:
MassHealth Representative: DentaQuest 1, MA