

# Office of Medicaid BOARD OF HEARINGS

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2304373
<b>Decision Date:</b>	8/30/2023	<b>Hearing Date:</b>	07/05/2023
<b>Hearing Officer:</b>	Christopher Jones	<b>Record Open to:</b>	08/14/2023

**Appearance for Appellant:**



**Appearance for MassHealth:**

Dr. Harold Kaplan



*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

<b>Appeal Decision:</b>	2304373	<b>Issue:</b>	Prior Authorization - Orthodontia
<b>Decision Date:</b>	8/30/2023	<b>Hearing Date:</b>	07/05/2023
<b>MassHealth's Rep.:</b>	Dr. Harold Kaplan	<b>Appellant's Rep.:</b>	Parents
<b>Hearing Location:</b>	Virtual Hearing	<b>Aid Pending:</b>	No

### Procedural Background & Outcome

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. The issue on appeal was MassHealth's June 14, 2023 denial of the appellant's prior authorization request for comprehensive orthodontia. (Exhibit 1.) The appellant timely appealed on July 5, 2023. (Exhibit 1; 130 CMR 610.015(B).)

At the hearing, the appellant's representatives requested that the record be left open to submit a medical necessity narrative. The narrative was submitted and MassHealth's representative overturned the denial, agreeing that the appellant qualified for comprehensive orthodontia. (Exhibits 4-5.) As MassHealth and the appellant have resolved all issues on appeal, this matter is DISMISSED pursuant to 130 CMR 610.051(B).<sup>1</sup>

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<sup>1</sup> The appellant's parents had also received a notice stating that the provider was not covered by MassHealth. DentaQuest has verbally informed the appellant's parents that this notice was erroneous, and the provider still appears in the published MassHealth provider list. However, provider enrollment is not an appealable issue at a Fair Hearing. (See 130 CMR 610.032; cf. 130 CMR 450.201; 450.212; 450.241.)

If this action is not implemented within 30 days after the date of this decision, you should contact DentaQuest.<sup>2</sup> If you experience problems with the implementation of this decision, you should report this in writing to the Director of the Board of Hearings, at the address on the first page of this decision.

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Christopher Jones  
Hearing Officer  
Board of Hearings

cc: MassHealth Representative: DentaQuest 1, MA

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<sup>2</sup> MassHealth's representative explained that it may take DentaQuest four to six weeks to implement this decision; the appellant's provider will be notified directly by DentaQuest.