

**Office of Medicaid  
BOARD OF HEARINGS**

**Appellant Name and Address:**



<b>Appeal Decision:</b>	Dismissed	<b>Appeal Number:</b>	2304447
<b>Decision Date:</b>	7/12/2023	<b>Hearing Date:</b>	07/10/2023
<b>Hearing Officer:</b>	Casey Groff, Esq.		

**Appearance for Appellant:**



**Appearance for MassHealth:**

Harold Kaplan, D.M.D. (in-person)



*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>	Dismissed	<b>Issue:</b>	Orthodontic Treatment
<b>Decision Date:</b>	7/12/2023	<b>Hearing Date:</b>	07/10/2023
<b>MassHealth's Rep.:</b>	Harold Kaplan, DMD	<b>Appellant's Reps.:</b>	Mother/Father
<b>Hearing Location:</b>	Tewksbury MassHealth Enrollment Center (Virtual)	<b>Aid Pending:</b>	No

This hearing was conducted pursuant to Massachusetts General Laws Chapter 118E, Chapter 30A, and the rules and regulations promulgated thereunder. On May 4, 2023, MassHealth notified Appellant, a minor, that it denied his prior authorization (PA) request for comprehensive orthodontic treatment. See Exhibit 4, p. 3. On May 31, 2023, Appellant's mother filed a timely request to appeal the agency action. See Exhibit 1. A fair hearing was conducted on July 10, 2023. At the hearing, a board-certified orthodontist representing MassHealth reviewed Appellant's records and hearing submissions and determined that Appellant met the criteria for the requested orthodontic treatment. See Exhibit 4. Accordingly, MassHealth agreed to overturn its May 4<sup>th</sup> denial and will issue, via written notice, an approval of the PA request (dated May 3, 2023) to Appellant's provider.

As MassHealth has adjusted the matter in Appellant's favor, and no issues remain in dispute, this appeal is DISMISSED. See 130 CMR 610.051(B).

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Casey Groff, Esq.  
Hearing Officer  
Board of Hearings

cc: MassHealth Representative: DentaQuest 1, MA