

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2305200
Decision Date:	9/13/2023	Hearing Date:	09/07/2023
Hearing Officer:	Rebecca Brochstein		

Appearances for Appellant:



Appearances for MassHealth:

Dr. Sheldon Sullaway



*Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
Board of Hearings
100 Hancock Street
Quincy, MA 02171*

APPEAL DECISION

Appeal Decision:	Denied	Issue:	Prior Approval (Dental Care)
Decision Date:	9/13/2023	Hearing Date:	09/07/2023
MassHealth's Rep.:	Dr. Sheldon Sullaway	Appellant's Rep.:	
Hearing Location:	Board of Hearings (Telephonic)		

Authority

This hearing was conducted pursuant to Massachusetts General Laws Chapters 118E and 30A, and the rules and regulations promulgated thereunder.

Jurisdiction

On May 18, 2023, MassHealth denied the appellant's request for prior authorization of a fixed dental bridge (consisting of a pontic and two crowns made of porcelain fused to high noble metal) (Exhibit 1). The appellant filed this appeal in a timely manner on June 26, 2023, and again on July 13, 2023 (130 CMR 610.015(B); Exhibits 2 and 4). The Board of Hearings scheduled a hearing for August 4, 2023, but rescheduled it to September 8, 2023, to enable the appellant to seek legal assistance; for administrative reasons, the Board of Hearings subsequently changed the hearing date from September 8 to September 7, 2023 (Exhibits 3 and 6). Denial of a request for prior authorization is a valid basis for appeal (130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant's request for a fixed dental bridge because it is not a covered service.

Issue

The appeal issue is whether MassHealth was correct in determining that a fixed dental bridge is not a covered service.

Summary of Evidence

MassHealth was represented by a dental consultant from DentaQuest, the MassHealth dental administrator. He testified that on May 17, 2023, the appellant's dental provider submitted a request for crowns on teeth nos. 28 and 30, and a pontic on tooth no. 29, all made of porcelain fused to high noble metal. He explained that the crowns and the pontic are used together to create a fixed bridge. On May 18, 2023, MassHealth denied the request because the requested services are not covered for MassHealth members who are 21 and older.¹ The MassHealth representative also noted that MassHealth does not cover crowns made of high noble metals for those who are 21 and older.

The appellant appeared at the hearing telephonically along with a legal services paralegal. She testified that she suffers from migraines and has lost ten pounds due to her inability to eat properly. She stated that it is perplexing that MassHealth will not cover a fixed bridge for those who are 21 and over, noting that it will cost MassHealth more in the long term. She added that she has been told that her provider needs to remove an existing bridge in order to perform a root canal on tooth no. 30, and argued that it should be replaced so she can chew properly.

The appellant's representative stated that she understands the service limitations in the MassHealth regulations, and questioned whether there are any alternative treatments that would be covered. The MassHealth representative indicated that the appellant's provider should be able to make recommendations based on her clinical condition and what services are covered by MassHealth.

Findings of Fact

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

1. On May 17, 2023, the appellant's dental provider submitted a prior authorization request for crowns on teeth nos. 28 and 30, and a pontic on tooth no. 29, all made of porcelain fused to high noble metal.
2. The crowns and pontic are used together to create a fixed bridge.
3. The appellant is over the age of 21.
4. On May 18, 2023, MassHealth denied the request because the requested services are not covered for MassHealth members who are age 21 and over.
5. On June 26, 2023, the appellant filed a request for a fair hearing.

¹ The appellant also requested coverage of a root canal and a post and core on tooth no. 30. MassHealth took no action on this aspect of the PA request, as prior authorization was not required for these services. See Exhibit 1.

6. On July 13, 2023, the appellant filed a second request for a fair hearing.

Analysis and Conclusions of Law

At issue in this case is the appellant's prior authorization request for crowns on teeth nos. 28 and 30, and a pontic on tooth no. 29, all made of porcelain fused to high noble metal. These elements would be used to create a fixed bridge. MassHealth denied the request on the basis that this is not a covered service. Under 130 CMR 420.429, MassHealth sets forth the following service limitations for prosthodontic services:

(A) Fixed Partial Dentures/Bridges. The MassHealth agency pays for fixed partial dentures/bridge for anterior teeth only for members younger than 21 years old with two or more missing permanent teeth. The member must not have active periodontal disease and the prognosis for the life of the bridge and remaining dentition must be excellent.

(B) Fixed Partial Denture/Bridge Repair. The MassHealth agency pays for chairside fixed partial denture/bridge repair. A description of the repair must be documented in the member's dental record.

As the appellant is over the age of 21, MassHealth correctly determined that a fixed bridge is not a covered service for her. Additionally, as the MassHealth representative pointed out, the agency does not pay for crowns made of porcelain fused to high noble metals for members who are 21 and older. See 130 CMR 420.425(C).

For the foregoing reasons, 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.

Rebecca Brochstein
Hearing Officer
Board of Hearings

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