

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



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|-------------------------|--------------------|-----------------------|------------|
| Appeal Decision: | Denied | Appeal Number: | 2306402 |
| Decision Date: | 10/24/2023 | Hearing Date: | 09/07/2023 |
| Hearing Officer: | Rebecca Brochstein | | |

Appearances for Appellant:
Tia Fonseca, 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

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|---------------------------|-----------------------------------|--------------------------|-------------------------------------|
| Appeal Decision: | Denied | Issue: | Prior Approval (Dental Services) |
| Decision Date: | 10/24/2023 | Hearing Date: | 09/07/2023 |
| MassHealth's Rep.: | Dr. Sheldon Sullaway | Appellant's Rep.: | Pro se |
| 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

By a notice dated July 12, 2023, MassHealth denied the appellant's request for prior authorization of a crown on tooth no. 10 (Exhibit 1). The appellant filed this appeal in a timely manner on July 31, 2023 (130 CMR 610.015(B); Exhibit 2). 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 prior authorization of a crown on tooth no. 10.

Issue

The appeal issue is whether MassHealth was correct in denying the appellant's prior authorization request.

Summary of Evidence

A consultant from DentaQuest, the MassHealth dental administrator, appeared telephonically and testified as follows: On July 13, 2023, the appellant's dental provider submitted a prior authorization request on the appellant's behalf for coverage of a crown on tooth no. 10 (service code D2740). On the same date, MassHealth denied the prior authorization request. MassHealth denied the request because it determined that the appellant was provided a crown on the same tooth in May 2022, and coverage is limited to one crown per tooth every five years.¹ He referred to the MassHealth Dental Program Office Reference Manual, which states that coverage of the D2740 service code is limited to once every sixty months "per patient per tooth." He stated that because it has not been sixty months (five years) since MassHealth paid for the appellant's last crown, she is not eligible for coverage of a new one.

The appellant appeared at the hearing telephonically and testified on her own behalf. She stated that her first crown broke six or seven months after she received it. However, the dentist who gave her that crown retired and shut down his practice in January 2023, giving her no opportunity to return to him to have it repaired. She stated that she had no option but to go to another dentist to request a new crown. She added that she is "very insecure" about her missing front tooth, stating that it is impacting her ability to secure a new job. The appellant added that she cannot afford to pay for the crown herself.

Findings of Fact

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

1. The appellant is a MassHealth member who is over the age of 21.
2. On July 13, 2023, the appellant's dental provider submitted a prior authorization request for coverage of a crown on tooth no. 10 (service code D2740).
3. On July 13, 2023, MassHealth denied the request because the appellant received a crown on the same tooth in May 2022, and coverage is limited to one crown per tooth every five years.
4. The appellant filed a timely appeal on July 31, 2023.

Analysis and Conclusions of Law

At issue in this case is the appellant's request for MassHealth coverage of a crown on tooth no. 10. The appellant sought the crown as a replacement for one that had broken. MassHealth denied the request because the appellant had received the first crown on the same tooth just over a year

¹ As part of the same notice, MassHealth took no action on a request for a prefabricated post and core, noting that prior authorization is not required for this service. See Exhibit 1.

earlier, and not enough time had passed to allow for coverage of a replacement. Under 130 CMR 420.425(B), MassHealth pays for certain types of crowns for members age 21 and older. However, the guidelines in the MassHealth Dental Office Reference Manual set forth certain limitations on that coverage: For individuals age 21 and older, coverage of crowns is limited to “one . . . per 60 month(s) per patient per tooth.” There is no dispute that this request came far less than 60 months after the appellant received the first crown on the same tooth. Under these guidelines, MassHealth was correct to deny coverage for this service.²

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

cc: DentaQuest, PO Box 9708, Boston, MA 02114-9708

² MassHealth does cover chairside repair of crowns, not subject to time limitations, pursuant to 130 CMR 420.425(E) and the Dental Office Reference Manual. However, it is not clear whether the appellant kept the broken crown to seek a repair by her new MassHealth dental provider.