

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	DENIED	Issue:	Prior Authorization - Dental
Decision Date:	4/8/2024	Hearing Date:	03/08/2024
MassHealth's Rep.:	Dr. Sheldon Sullaway	Appellant's Rep.:	Pro se

Appearance for Appellant:

Pro se

Appearance for MassHealth:

Dr. Sheldon Sullaway

Interpreter:



*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

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Hearing Location:	Quincy		

Authority

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

Jurisdiction

Through notice dated January 2, 2024 MassHealth denied Appellant's request for prior authorization for root canal therapy on tooth number 30 (Exhibit A). Appellant filed this appeal in a timely manner on January 16, 2024 (see 130 CMR 610.015(B) and Exhibit A). Denial of prior authorization for assistance constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by the MassHealth

MassHealth denied Appellant's request for prior authorization for root canal therapy on tooth number 30.

Issue

The appeal issue is whether MassHealth properly applied the controlling regulation(s) to accurate facts when it denied Appellant's request for prior authorization for root canal therapy on tooth number 30.

Summary of Evidence

Both parties appeared by telephone.

The MassHealth representative, a duly licensed dentist, testified that in January 2024, Appellant's dental provider filed an authorization request seeking prior approval for root canal therapy on tooth number 30. The MassHealth representative testified that MassHealth already paid Appellant's dental provider for performing a root canal on tooth number 30 in June 2023. The subject request, therefore, concerns the retreatment of the root canal that was already performed on tooth number 30. The MassHealth representative testified that regulation 130 CMR 420.426 limits root canals for a particular tooth to once per lifetime. The MassHealth representative also testified that regulation 130 CMR 420.426(C) makes the treating dental provider responsible for the cost of all root canal retreatments required within 24 months of the date that the root canal was originally performed.

Appellant agreed that the root canal on tooth number 30 was originally performed in June 2023 and after a period of prolonged pain, it was retreated in December 2023. Appellant testified that his dental provider is now billing him for the costs of the retreatment.

Findings of Fact

Based on a preponderance of the evidence, this record supports the following findings:

1. Appellant had root canal therapy performed on tooth number 30 in June 2023.
2. Appellant seeks prior authorization for retreatment of a root canal on tooth number 30.
3. The root canal on tooth number 30 was retreated in December 2023.

Analysis and Conclusions of Law

MassHealth's assertion that prior authorization for root canal therapy for any one particular tooth is limited to once per lifetime is not supported by the cited regulation (130 CMR 420. 426) which makes no mention of such a limitation.

This matter is controlled by regulation 130 CMR 420.426(C) which states (emphasis supplied):

Endodontic Retreatment.

(1) The MassHealth agency pays for endodontic retreatment of permanent anterior,

bicuspid, and first and second molar teeth for all MassHealth members. This procedure may include the removal of a post, pins, old root canal filling material, and the procedures necessary to prepare the canals and place the canal filling.

(2) Payment includes all retreatments within 24 months of the original root canal.

The regulation is clear and unambiguous. MassHealth's payment to the dentist covers all retreatments needed within 24 months of the date the root canal on tooth number 30 was first performed. Consequently, the dental provider who performed the original root canal on tooth number 30 in June 2023 is responsible for the cost of retreating the same root canal within 24 months of the original procedure date. If that same provider performed the retreatment in December 2023, that provider may not bill Appellant for the cost of the retreatment.

Accordingly, I find that MassHealth's denial is based on the agency's proper application of the controlling regulation to accurate facts. This record provides no basis for reversal.

For the foregoing reasons, the appeal is DENIED.

Order for the 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.

Kenneth Brodzinski
Hearing Officer
Board of Hearings

cc:
MassHealth Representative: DentaQuest 1, MA