

Office of Medicaid BOARD OF HEARINGS

Appellant Name and Address:



Appeal Decision:	DENIED	Appeal Number:	2416446
Decision Date:	2/18/2025	Hearing Date:	12/18/2024
Hearing Officer:	Kenneth Brodzinski		

Appearance for Appellant:

Pro se

Appearance for MassHealth:

Cassandra Horne with Dr. Alan Finkelstein for
Commonwealth Care Alliance (CCA)

Interpreter: Spanish



*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

Appeal Decision:	DENIED	Issue:	Prior Authorization - Dental
Decision Date:	2/18/2025	Hearing Date:	12/18/2024
MassHealth's Rep.:	Cassandr Horne (CCA)	Appellant's Rep.:	Pro se
Hearing Location:			

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 October 14, 2024 MassHealth's agent, Commonwealth Care Alliance (CCA) issued a Level 1 denial of Appellant's prior authorization (PA) request for payment for dental services (Exhibit A). Appellant filed her fair hearing requests in a timely manner on October 24, 2024 (see 130 CMR 610.015(B) and Exhibit A). Denial of assistance constitutes valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth's agent, CCA, issued a Level 1 denial of Appellant's PA request for payment for dental services.

Issue

The appeal issue is whether MassHealth's agent, CCA, properly applied the controlling regulation(s) to accurate facts when it issued a Level 1 denial of Appellant's PA request for payment of dental services.

Summary of Evidence

Both parties appeared by telephone. CCA filed a packet of documents (Exhibit B).

The CCA representatives included a licensed dentist who testified that Appellant is a member of CCA's SCO Plan who sought prior authorization for dental service code D2740 (porcelain crown) for teeth numbers 19, 30, 31, 7, 8, 9 and 10. CCA first denied the request on September 11, 2024 and again on a Level 1 internal appeal on October 14, 2024. According to the CCA dentist, the denials were based on a lack of medical necessity insofar as the supporting documentation and X-rays submitted with the request failed to show that the requested service was needed for any of the seven teeth.

The CCA dentist testified that in order to substantiate the medical need for a crown, dental X-rays must show that four or more surfaces of the tooth are decayed. That was not the case for any of the subject seven teeth.

According to CCA's dentist, the submitted X-rays were of good diagnostic quality. On the lower arch, the X-rays showed only minor shallow fillings on the subject teeth with no decay around them. According to CCA's dentist, the X-rays fail to show not only that none of the subject lower teeth need to be crowned, they do not even show that any of the fillings on the subject teeth need to be replaced. Relative to the subject upper teeth, the X-rays also fail to show that any need to be crowned as they failed to evidence the necessary decay.

Appellant testified with the aid of a Spanish interpreter. Appellant testified that her dentist told her that her back molars are broken inside and need to be replaced with crowns. She also testified that she has a bridge that is over 20 years old. Appellant stated that she faxed copies of her dental X-rays to BOH prior to hearing. The hearing officer indicated that they were received and that they are copies the same dental X-rays that were filed with the PA request and included in CCA's submission (Exhibit B).

In response, CCA's dentist testified that the dental X-rays do not show that any of the subject teeth are fractured, nor do they show that any of the teeth involved with the bridge are fractured or decayed.

Findings of Fact

By a preponderance of the evidence, this record supports the following findings.

1. Appellant is a member of CCA's SCO Plan.
2. Appellant's dental provider filed a prior authorization (PA) request for dental service code D2740 (porcelain crown) for teeth numbers 19, 30, 31, 7, 8, 9 and 10.
3. CCA first denied the request on September 11, 2024 and again on a Level 1 internal appeal on September 27, 2024.
4. The denials were based on a lack of medical necessity.
5. Appellant's PA request was accompanied by dental X-rays of good diagnostic quality.
6. On the lower arch, the X-rays showed only minor shallow fillings on the subject teeth with no decay around them.
7. The X-rays fail to show that any of the subject lower teeth need to be crowned.
8. The X-rays also fail to show that any of the subject upper teeth need to be crowned as they fail to evidence the necessary decay.
9. The X-rays do not show that any of the subject teeth are fractured, nor do they show that any of the teeth involved with a bridge are in a state of decay.

Analysis and Conclusions of Law

The party appealing an administrative decision bears the burden of demonstrating the decision's invalidity [REDACTED]

[REDACTED] On this record, Appellant has failed to meet her burden.

MassHealth regulation 130 CMR 450.204: Medical Necessity:

The MassHealth agency does not pay a provider for services that are not medically necessary and may impose sanctions on a provider for providing or prescribing a service or for admitting a member to an inpatient facility where such service or admission is not medically necessary.

(A) A service is medically necessary if

(1) it is reasonably calculated to prevent, diagnose, prevent the worsening of, alleviate, correct, or cure conditions in the member that endanger life, cause suffering or pain, cause physical deformity or malfunction, threaten to cause or to aggravate a handicap, or result in illness or infirmity; and

(2) there is no other medical service or site of service, comparable in effect, available, and suitable for the member requesting the service, that is more conservative or less costly to the MassHealth agency. Services that are less costly to the MassHealth agency include, but are not limited to, health care reasonably known by the provider, or identified by the MassHealth agency pursuant to a prior-authorization request, to be available to the member through sources described in 130 CMR 450.317(C), 503.007: Potential Sources of Health Care, or 517.007: Utilization of Potential Benefits.

CCA produced a dentist who testified that he reviewed the X-rays filed with Appellant's PA request. The dentist confirmed that the X-rays were of good diagnostic quality and that they failed to show that any of the subject seven teeth had decay or fractures. Appellant failed to produce any evidence to support a contrary finding that any of the subject teeth did have decay or fractures and that such decay or fractures were of a degree that warranted replacing the existing tooth with the requested porcelain crown. On this record, there is simply no basis in fact that would warrant reversal of CCA's determination that there is no medical necessity for crowns on any of the subject seven teeth at this time (130 CMR 450.204(A)(1)).

For the foregoing reasons, the appeal is denied.

Order for Commonwealth Care Alliance

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

MassHealth Representative: Commonwealth Care Alliance SCO, Attn: Nayelis Guerrero, 30 Winter Street, Boston, MA 02108