

**Office of Medicaid
BOARD OF HEARINGS**

Appellant Name and Address:



Appeal Decision:	Denied	Appeal Number:	2501343
Decision Date:	3/17/2025	Hearing Date:	3/10/2025
Hearing Officer:	David Jacobs		

Appearance for Appellant:



Appearance for MassHealth:

Katherine Moynihan, DentaQuest



*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 – Retainer Replacement
Decision Date:	3/17/2025	Hearing Date:	3/10/2025
MassHealth's Rep.:	Katherine Moynihan	Appellant's Rep.:	
Hearing Location:	Board of Hearings (Remote)	Aid Pending:	N/A

Authority

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

Jurisdiction

Through a notice dated January 5, 2025, MassHealth denied appellant's request for a retainer replacement because it is outside the 2-year time frame (Exhibit 1 and 130 CMR 420.431). The appellant filed this appeal in a timely manner on January 21, 2025 (see 130 CMR 610.015(B) and Exhibit 2). Challenging a denial of a prior authorization request is valid grounds for appeal (see 130 CMR 610.032).

Action Taken by MassHealth

MassHealth denied the appellant's prior authorization request for a retainer replacement.

Issue

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

Summary of Evidence

The appellant's mother appeared virtually on behalf of the appellant, a minor under the age of 21. The MassHealth representative, a licensed orthodontist, appeared virtually for MassHealth on behalf of DentaQuest, the MassHealth dental contractor. The MassHealth representative testified that the appellant made a request for D8703, maxillary retainer replacement. This request was denied for being past the 2-year time frame for replacement retainers per the MassHealth Dental Manual, pg. 102 (Exhibit 1). According to the Dental Manual, MassHealth will only pay for replacement of a retainer within 2 years following treatment. Here, the appellant completed orthodontic treatment and received the retainer in 2017, more than 2 years prior to the present request. Therefore, the request was denied.

The appellant's mother appeared on his behalf and conceded that the appellant received his retainer in 2017. However, she argues that one of the wires broke and the appellant is growing out of it. He needs a new one to be able to properly keep using it. Moreover, she and her dentist find it ridiculous that MassHealth will not replace a retainer after 2 years.

Findings of Fact

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

1. The appellant is under the age of 21.
2. In 2017, the appellant completed his orthodontic treatment and received a maxillary retainer.
3. On January 5, 2025, MassHealth denied a prior authorization request from the appellant for a maxillary retainer replacement because it was outside the 2-year retention period.
4. Per pg. 102 of the MassHealth Dental Manual, MassHealth will only replace a retainer during the 2-year retention period following orthodontic treatment.
5. The appellant's retainer has a broken wire, and he has grown out of it.
6. On January 21, 2025, the appellant appealed the January 5, 2025 denial.

Analysis and Conclusions of Law

The MassHealth Office Reference Dental Manual provides sub-regulatory guidance regarding dental and orthodontic services. The Dental Manual provides the following regarding retainer replacement.

Dental Manual, pg. 102

D8703 Replacement of lost or broken retainer – maxillary:

One of (D8703) per 2 Calendar year(s) Per patient. The MassHealth agency pays for replacement retainers only during the 2 year retention period following orthodontic treatment. Only payable to a dental provider with a specialty of Orthodontics. Statement regarding the date of the onset of retention.

Here, it is undisputed that the appellant completed orthodontic treatment and received a maxillary retainer in 2017. The Dental Manual is clear that retainer replacements are not covered outside of the 2-year retention period. As this request comes well after the 2 year retention period, MassHealth did not err in denying the appellant's prior authorization request.

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.

David Jacobs
Hearing Officer
Board of Hearings

cc:

DentaQuest