

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL  
BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of )  
 )  
 Q C )  
\_\_\_\_\_ )

OAH No. 16-0855-MDX  
Division No.

**DECISION**

**I. Introduction**

Q C is a Medicaid recipient who requested that Medicaid pay for her dentures. That request was denied. The Medicaid program paid for a complete set of dentures for Ms. C in 2013. Because the Medicaid program will only pay for a complete set of dentures every five years, the denial of Ms. C's request is AFFIRMED.

**II. Procedural History**

Ms. C requested a hearing to challenge the denial of her request for dentures. That hearing was held on August 11 and September 9, 2016. Ms. C's interests were represented by her daughter D T, who holds her power of attorney. Ms. T testified on Ms. C's behalf. Terri Gagne, a Medical Assistance Administrator employed by the Department of Health and Social Services, represented the Division of Health Care Services (Division). Mary Hansen, who is the dental program manager for the Division, testified on its behalf.

**III. Facts**

Ms. C saw a dentist in March 2013 to obtain dentures. At that time, the dentist who provided Ms. C with dentures told Ms. T that the Medicaid program would not pay for a full set of dentures, but only for either an upper or lower denture. Ms. T then paid the dentist \$1,595 for half the dentures.<sup>1</sup> The dentist provided Ms. C with her full set of dentures and billed Medicaid for a full set of dentures. Medicaid paid the dentist for the entire set (both upper and lower dentures).<sup>2</sup>

Ms. C needed a complete set of new dentures in 2016. Her new dentist requested approval for Medicaid payment for those dentures in July 2016. The Division denied that request because the Medicaid program had paid for a complete set of dentures in 2013.<sup>3</sup>

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<sup>1</sup> Ms. T's testimony; Ex. 1 (copy of Ms. T's cancelled check).

<sup>2</sup> Ms. Hansen's testimony; Ex. E, pp. 12 – 13.

<sup>3</sup> Ms. Hansen's testimony; Exs. D, E, pp. 12 – 13.

**IV. Discussion**

The Medicaid program will pay for dentures for adults. However, it will pay for the “replacement of complete or partial dentures only once per five calendar years.”<sup>4</sup> Ms. C is an innocent party here. She paid for one-half of her dentures and the dentist billed Medicaid for the full set. However, since Medicaid paid for the full set in 2013, Ms. C is not eligible for Medicaid coverage of her denture expense in 2016, regardless of the fact that Ms. C was not at fault.

**V. Conclusion**

The Division’s denial of Ms. C’s request for Medicaid coverage for her dentures is **AFFIRMED.**

DATED this 17th day of October, 2016.

*Signed* \_\_\_\_\_  
Lawrence A. Pederson  
Administrative Law Judge

**Adoption**

The undersigned, by delegation from the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 1st day of November, 2016.

By: *Signed* \_\_\_\_\_  
Name: Lawrence A. Pederson  
Title/Agency: Admin. Law Judge/OAH

[This document has been modified to conform to the technical standards for publication.]

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<sup>4</sup> 7 AAC 110.145(b)(6)(A).