

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

In the Matter of	)	
	)	OAH No. 16-1012-MDX
K J	)	Division No.
_____	)	

**DECISION**

**I. Introduction**

K J is a Medicaid recipient who requested that Medicaid pay for replacement dentures. That request was denied. The Medicaid program paid for a complete set of dentures for Ms. J in 2015. Because the Medicaid program will only pay for a complete set of dentures once every five years, the denial of Ms. J's request is AFFIRMED.

**II. Procedural History**

Ms. J requested a hearing to challenge the denial of her request for dentures. That hearing was held on September 15, 2016. Ms. J represented herself. Terri Gagne, a Medical Assistance Administrator employed by the Department of Health and Social Services, represented the Division of Health Care Services (Division).

**III. Facts**

Ms. J received a complete upper denture and a lower partial denture in 2015, which were paid for by the Medicaid program.<sup>1</sup> Those dentures do not fit and Ms. J cannot wear them. Ms. J has lost weight because she cannot eat properly and it is impacting her health. Ms. J has not been able to resolve the issue with the dentist that originally provided them to her.<sup>2</sup>

Ms. J went to see another dentist about her dentures, who told her that they could not be repaired and that she needed new dentures.<sup>3</sup> 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 set of dentures in 2015.<sup>4</sup>

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<sup>1</sup> Ex. E, p. 12.  
<sup>2</sup> Ms. J's testimony.  
<sup>3</sup> Ms. J's testimony; Ex. C.  
<sup>4</sup> Ex. D.

#### IV. Discussion

The Medicaid program will pay for dentures for adults. However, it will pay for “replacement of complete or partial dentures only once per five calendar years.”<sup>5</sup> Ms. J’s dentures don’t fit, are unusable, and are impacting her health. However, since Medicaid paid for a full set in 2015, Ms. J is not eligible for Medicaid coverage for replacement dentures in 2016.<sup>6</sup>

#### V. Conclusion

The Division’s denial of Ms. J’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 15 day of November, 2016.

By: *Signed* \_\_\_\_\_  
Name: Douglas W. Jones  
Title: Medicaid Program Integrity Manager

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

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<sup>5</sup> 7 AAC 110.145(b)(6)(A).

<sup>6</sup> The Alaska Medicaid regulations used to contain an undue hardship exception provision. However, that regulation, 7 AAC 43.080(a), was repealed in 2004 (Register 170).