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

In the Matter of	)	
	)	
O. C.	)	OAH No. 22-0054-MDX
	)	

DECISION

I. Introduction

O. C. is a Medicaid recipient who requested that Medicaid pay for an October 20, 2021 surgical indexing to record the position of implants relative to the adjacent teeth and the opposing occlusion at the time of implant surgery. When his request was denied, Mr. C. requested a hearing to challenge the denial.

A telephonic hearing was held on March 11, 2022. Mr. C. represented himself and testified on his own behalf. Laura Baldwin, an employee with the Division of Health Care Services (Division), appeared on behalf of the Division. Ms. Baldwin presented one witness who testified on behalf of the Division: Carrie Crouse, the Health Care Services Division Manager for the dental program.

The Medicaid program does not pay for implants or implant-related services. Since an implant-related service was involved here, the denial of Mr. C.'s request is affirmed

II. Facts

Mr. C. saw a dentist at Clinic A in City A, Alaska on October 10, 2021. Two services were performed: (1) adult prophylaxis (teeth cleaning) services; and (2) surgical indexing to record the position of implants relative to adjacent teeth and the opposing occlusion at the time of the implant surgery.[1] Clinic A on October 26, 2021 requested Medicaid coverage for both procedures on a Dental Service Authorization request form, with the teeth cleaning services coded as D1110 and the radiographic/surgical implant index coded as D6190 on that form.[2]

The Department of Health and Social Services (Department) contracts with Conduent State Healthcare, LLC to conduct an authorization review for certain medical services.[3] In Mr. C.'s case, Conduent notified him on December 9, 2021 that the radiographic index, coded as

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1 Division's Position Statement, p. 2.

2 Exh. F, p. 1; *see also* Exh. B, p. 6.

3 Conduent employs two dentists to review the authorization requests for dental services. *See* Testimony of Ms. Crouse.

D6190, had been denied because this procedure code was not covered by Alaska Medicaid.[4] The letter which Conduent sent to Mr. C. further stated that the Department would not pay for a service "that is not reasonably necessary for the diagnosis and treatment of an illness or injury or for the correction of an organic system, as determined upon review by the Department." That was the sole reason Conduent gave for the denial of coverage.[5]

Mr. C. requested a fair hearing after being notified that payment for the surgical indexing service had been denied.[6] In support of his position, he submitted various materials as part of the record, including a letter explaining his dental issues and a series of bills and payment receipts.[7] In his letter, he explained that four of his front teeth had been knocked out and had been replaced with plastic teeth on a metal plate.[8] This was a hardship for him, he stated in his letter and in his testimony at the hearing, because his doctors had instructed him to change his diet to "raw, fresh, crunchy vegetables, fruits, nuts, and whole grains" after a recent heart attack and the plastic teeth kept breaking on this diet.[9]

Although the reason given in Conduent's letter for denying Mr. C.'s claim was that the service was not medically necessary, Ms. Crouse testified that even if surgical indexing had been deemed medically necessary, Medicaid still would not have paid for this implant-related service.[10] This was because it was not a covered dental service under the Medicaid program.[11]

III. Discussion

The Department is not permitted to pay for implant or implant-related services because such services are not a covered dental service under 7 AAC 145(d)(8).[12] Under 7 AAC 105.100(7), there are no exceptions to this exclusion, even if an implant or the implant-related service was deemed medically necessary under 7 AAC 105.100(5).[13]

IV. Conclusion

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4 *See* Exh. E, p. 2. The tooth cleaning, coded as D1110, was paid by Medicaid. *See* C., Exh. 2, p. 4; *see also* presentation of Ms. Baldwin.
5 *See* Exh. D, p. 1.
6 Exh. C, p. 1.
7 C. Exhs. 1 & 2.
8 C. Exh. 1.
9 C. Exh. 1; Testimony of Mr. C.*; see also* C. Exh. 2, pp. 9-13.
10 *See* Exh. D, p. 1; Testimony of Ms. Crouse.
11 Testimony of Ms. Crouse.
12 Exh. B, p. 4.
13 *See* Exh. B, p. 2.

The Division's denial of Mr. C.'s request for Medicaid coverage for the surgical indexing services provided to him is AFFIRMED.

Dated: April 14, 2022

SIGNED__
Kathleen A. Frederick
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 29th day of April, 2022.

By: SIGNED
Name: Kathleen A. Frederick
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards of publication. Names have been changed to protect privacy.]