

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. 10,642
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare denying her Medicaid coverage for "Retin A", a prescription skin treatment. The issue is whether this drug is a covered item under the pertinent regulations.

FINDINGS OF FACT

The petitioner is a young woman who suffers from chronic dermatitis that results in disfiguring facial lesions. She is also under the care of a psychologist. Uncontroverted medical evidence establishes that "Retin A", a prescription skin treatment, is medically necessary for treatment of her facial lesions, and that effective treatment of her dermatitis is crucial to her psychological well-being.

The Department has put forth no factual or legal basis to deny Medicaid coverage for "Retin A" in light of the petitioner's condition.

ORDER

The Department's decision is reversed.

REASONS

Medicaid Manual § M 810 provides for Medicaid coverage of "any preparation, except those unfavorably evaluated,

either included or approved for inclusion in the latest edition of official drug compendia . . ." As noted above the Department has put forth no rationale or explanation why Retin A should not be covered in the petitioner's case. The board finds nothing in the regulations remotely indicating that Retin A is excepted from coverage,¹ and cannot understand the Department's position in this matter.² The Department's decision is reversed.

FOOTNOTES

¹See Medicaid Manual §§ 811 Et Seq.

²The cost of this drug for the petitioner's use is about \$30.00 per year.

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