

## STATE OF VERMONT

## HUMAN SERVICES BOARD

In re ) Fair Hearing No. 14,461

)

Appeal of )

)

INTRODUCTION

The petitioner appeals the notification to her and other recipients by the Department of Social Welfare that commencing July 1, 1996, the cap on adult dental services covered under Medicaid was being reduced from \$400 to \$250 per year.

DISCUSSION

Effective July 1, 1996, the Department amended its Medicaid regulations, inter alia, by reducing the annual benefit maximum for adult dental services from \$400 to \$250. See Medicaid Manual § M621. The petitioner unfortunately expects to incur more than \$250 in dental bills this year. At the hearing the Department and the hearing officer explained to the petitioner that if any of her dental work could be considered a medical emergency she might be eligible for General Assistance (GA). At this time, however, the petitioner made no argument that the program-wide reduction in annual limits was not a validly-promulgated regulation.

ORDER

The Department's decision is be affirmed.

REASONS

Inasmuch as the Department's action in this matter appears to be based on a valid program-wide change in the regulations, the Board is bound by law to affirm that action. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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