

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 19,351
)
Appeal of)

INTRODUCTION

The petitioner appeals decisions of the Department for Children and Families (DCF) denying her separate requests for coverage under Vermont Health Access Program (VHAP) and General Assistance (GA) for periodontal services. The issue is whether such services are covered under either program.

FINDINGS OF FACT

1. The petitioner has been found eligible for the Department's VHAP program. In October the petitioner was denied coverage under VHAP for periodontal services. She then applied for and was denied GA for the same services.

2. The only evidence relating to the petitioner's medical need for such services is the following letter from the physician who is treating her for scleroderma, a condition which causes areas of skin to harden:

(Petitioner's) scleroderma can affect the mouth and gums. Scleroderma can cause fibrosis of salivary glands, leading to reduced saliva production, which can then lead to increased periodontal care.

ORDER

The Department's decision is affirmed.

REASONS

The VHAP regulations clearly provide that this program does not cover any dental services under any circumstances. W.A.M. § P-4005(B)(3)(e). Under the GA regulations, certain dental services are covered only on an emergency basis to "relieve pain, bleeding, and infection". W.A.M. § 2622. From the scant evidence presented there is no indication that the petitioner's dental problems are severe enough to meet the above criteria for GA coverage. If and when the petitioner can provide medical evidence of such severity, she is free to reapply for GA. As of now, however, it must be concluded that DCF acted in accordance with its regulations, and the Board must therefore uphold its decisions. 3 V.S.A. § 3091(d), Fair Hearing Rule 17.

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