

STATE OF VERMONT

HUMAN SERVICES BOARD

In re ) Fair Hearing Nos. 19,439  
 ) & 19,480  
Appeal of )

INTRODUCTION

The petitioner appeals<sup>1</sup> the decision by the Department for Children and Families, Economic Services, denying him Medicaid coverage for certain dental work. The issue is whether the services in question are considered "dental services" or "medical and surgical services of a dentist" under the pertinent regulations.

DISCUSSION

The parties appear to agree that the facts and legal issues in this matter are identical to those recently decided by the Board in Fair Hearing No. 19,063 (copy attached). The petitioner in this matter was denied Medicaid coverage for dental services including cast crowns, a lower partial denture, restorations, root canal, periodontal scaling, and extractions. As was the case in Fair Hearing No. 19,063, the Department does not dispute that the dental work sought by the petitioner is considered by his doctors to be medically necessary. As was also the case in Fair Hearing No. 19,063, there is no indication as to whether the petitioner in this

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<sup>1</sup> It appears the petitioner filed two separate hearing requests over the same Department decision.

matter has sought coverage under either M108 of the Medicaid regulations or the catastrophic situation provisions of General Assistance (GA). Neither of these potential avenues of coverage was addressed by the Board in that fair hearing, and need not be considered at this time in this matter.

ORDER

Inasmuch as the facts and legal issues in this matter are indistinguishable from Fair Hearing No. 19,063, the Department's decision in this matter is affirmed.

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