

Reasons for Decision:

Order # 1819-0069

<name removed> appealed the Department's decision to deny their request for coverage of their daughter's oral surgery.

The Department's Dental Services representative stated that the appellant advised them that their daughter was getting braces and that they were paying for them, but would like assistance with coverage for oral surgery. The Department advised the appellant that if the surgery was related to the orthodontic treatment plan, it would not be eligible for coverage as orthodontics are not a covered service through Employment and Income Assistance.

A request from the oral surgeon was received on <date removed>, which was denied as the Department found that the service was strictly for orthodontic purposes. The Department stated that the oral surgeon would have indicated if the surgery was not related to orthodontic treatment, therefore concluded that it was.

The appellant stated that they are not requesting any coverage for the orthodontic treatments, just the oral surgery, which is separate from the orthodontic treatments. The appellant's daughter had front teeth out of place, which had canines growing in the gums. The appellant said that if their daughter did not have the teeth corrected, they would have turned black and fallen out. The appellant does not view this as cosmetics and regardless of the braces, the surgery would have had to be done. The surgery cost <amount removed>, of which the appellant has paid <amount removed> leaving a balance of \$500.00.

The Board has carefully considered the written and verbal evidence before it, and has determined it was not provided with any evidence to show the oral surgery is directly associated with the orthodontic treatment. The Board also found the Department's statement that the oral surgeon would have indicated if the surgery was not related to orthodontics, to be subjective rather than factual. Due to the lack of objective evidence from the Department, the Board has rescinded the Director's decision and orders the Department to provide coverage for the remaining \$500.00 to the oral surgeon's office.

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