

June 28, 1983

(Opinion issued in letter form; name and address deleted)

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-195

Pursuant to Article IX of the United Mine Workers of America 1950 Benefit Plan and Trust, and under the authority of an exemption granted by the United States Department of Labor, the Trustees have reviewed your Request for Advisory Opinion concerning coverage for oral surgery under the Employer Plan.

Article III. A. (3)(e) of your Employer's Plan specifically excludes benefits for dental surgery. Under Article III. A. (1)(g) of the Employer's Benefit Plan, as amended June 7, 1981, benefits are provided for hospitalization for dental procedures only if the hospitalization is necessary due to a preexisting medical condition and prior approval is received from the Plan Administrator. Funds' medical staff has determined that the Employee did not have a preexisting medical condition which necessitated hospitalization for oral surgery. Because he had no preexisting medical condition, and prior approval was not obtained from the Plan Administrator, his Employer is not responsible for payment of charges for his hospitalization for oral surgery.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee