

July 27, 1982

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-38

Pursuant to Article IX of the United Mine Workers of America 1950 Benefit Plan and Trust, an 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 of your dependent's oral surgery under the Employer's Plan.

Article III. A. (3) (e) of your Employer's Plan specifically excludes benefits for dental services. 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. Because your dependent had no preexisting medical condition and prior approval was not obtained from your Plan Administrator, your Employer is not responsible for payment of charges for your dependent's hospitalization for oral surgery.

Q&A #81-16, attached hereto, provides that physician services, including anesthesia services are a covered benefit only when they are for the treatment of a medical condition for which benefits would otherwise be provided. Because your daughter did not have an otherwise covered medical condition, benefits are not provided for anesthesia services performed in connection with her dental procedures.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee