

April 26, 1983

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-179

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 benefits, under your Employer's Benefit Plan, for your spouse's braces in the treatment of her Temporomandibular Joint Dysfunction.

Under Question and Answer #81-88, adopted by the Trustees and attached hereto, benefits are not provided for the treatment of Temporomandibular Joint Dysfunction except when the treatment involves the use of corrective external orthopedic appliances or corrective surgery to specifically reorient the temporomandibular joint,

The braces are an orthodontic appliance used to correct your spouse's malocclusion and not an external orthopedic appliance used to specifically reorient the temporomandibular joint. Therefore, your Employer is not responsible for providing benefits for your spouse's braces.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee