

August 29, 1983

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-241

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 the level of health benefit coverage for treatment of temporomandibular joint dysfunction.

Under Contract Question and Answer #81-88, attached hereto, treatment of temporomandibular joint dysfunction is not a covered benefit unless the treatment involves the use of a corrective external orthopedic appliance or corrective surgery to specifically reorient the temporomandibular joint and prior approval is obtained from the Plan Administrator. The Trustees have been advised that the treatment rendered did, in fact, involve the use of a corrective external orthopedic appliance for the treatment of temporomandibular joint dysfunction as required in Q&A #81-88. Prior approval was not, however, obtained from the Plan Administrator. Therefore, the Employer is not responsible for the provision of benefit coverage for the treatment of your spouse's temporomandibular joint dysfunction.

Sincerely,

Harrison Combs, Chairman

John J. O'Connell, Trustee

Paul R. Dean, Trustee