

Opinion of Trustees
Resolution of Dispute
Case No. 81-592
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May 20, 1985

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

Re: Opinion of Trustees
Resolution of Dispute
Case No. 81-592

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 Resolution of Dispute concerning coverage of sclerotherapy for the treatment of your back problem.

Under Article III. A. (11) (a) 24 of the Employer Benefit Plan, benefits are excluded for treatment with new technological medical devices and therapy which are experimental in nature. According to the information available to the Trustees, sclerotherapy is not considered a recognized form of treatment for muscle strain, there being no scientific study results which support its use and no documented evidence that it is effective for this particular diagnosis. Therefore your Employer is not responsible for payment of charges for sclerotherapy as a treatment for your back muscle strain.

Sincerely,

Joseph P. Connors, Sr., Chairman

Paul R. Dean, Trustee

William B. Jordan, Trustee

William Miller, Trustee

Donald E. Pierce, Jr., Trustee