TREATMENT OF TEMPOROMANDIBULAR JOINT (TMJ) DISORDERS

Policy Number: BIP184.F
Effective Date: July 1, 2018

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Covered benefits are listed in three (3) Sections - A, B and C. All services must be medically necessary. Each benefit plan contains its own specific provisions for coverage, limitations and exclusions as stated in the member’s Evidence of Coverage (EOC)/Schedule of Benefits (SOB). If there is a discrepancy between this policy and the member’s EOC/SOB, the member’s EOC/SOB provision will govern.

Essential Health Benefits for Individual and Small Group
For plan years beginning on or after January 1, 2014, the Affordable Care Act of 2010 (ACA) requires fully insured non-grandfathered individual and small group plans (inside and outside of Exchanges) to provide coverage for ten categories of Essential Health Benefits (“EHBs”). Large group plans (both self-funded and fully insured), and small group ASO plans, are not subject to the requirement to offer coverage for EHBs. However, if such plans choose to provide coverage for benefits which are deemed EHBs (such as maternity benefits), the ACA requires all dollar limits on those benefits to be removed on all Grandfathered and Non-Grandfathered plans. The determination of which benefits constitute EHBs is made on a state by state basis. As such, when using this guideline, it is important to refer to the member specific benefit document to determine benefit coverage.

A. FEDERAL/STATE MANDATED REGULATIONS

TEXAS:
TIC Sec. 1360.001 -1360.004. Coverage Required.
a) A health benefit plan that provides coverage for medically necessary diagnostic or surgical treatment of conditions affecting skeletal joints must provide comparable coverage for diagnostic or surgical treatment of conditions affecting the temporomandibular joint if the treatment is medically necessary as a result of:
1) an accident;
2) a trauma;
3) a congenital defect;
4) a developmental defect; or
5) a pathology.
Treatment of Temporomandibular Joint (TMJ) Disorders: Benefit Interpretation Policy (Effective 07/01/2018)

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coinsurance, and copayments, in any calendar year, and a lifetime benefit of five thousand dollars per covered individual, after the application of deductibles, coinsurance, and copayments. Other than the benefit amount, coverage for medical services shall be the same as are generally provided in the health maintenance agreement for other injuries or musculoskeletal disorders. The coverage provisions may require:

(i) That services either be rendered or referred by the covered individual's primary care physician; and

(ii) A second opinion, provided that the covered individual shall not be financially responsible for any costs relating to this second opinion and that such costs shall be in excess of the required benefit levels; and

(iii) Pre-notification or preauthorization.

Except that the coverage provisions shall not require either a second opinion or pre-notification or preauthorization for treatment commencing within forty-eight hours, or as soon as is reasonably possible, after the occurrence of an accident or trauma to the temporomandibular joint.

b) Offers of both medical and dental coverage shall provide coverage for medical and dental services related to the treatment of temporomandibular joint disorders in the amount of one thousand dollars per covered individual, after the application of deductibles, coinsurance, and copayments, in any calendar year and a lifetime benefit of five thousand dollars per covered individual, after the application of deductibles, coinsurance, and copayments. Other than the benefit amount, coverage for medical and dental services shall be the same as are generally provided in the health maintenance agreement for other injuries, musculoskeletal disorders, or dental conditions. The coverage provisions may require:

(i) That services either be rendered or referred by the covered individual's primary care physician or dentist; and

(ii) A second opinion, provided that the covered individual shall not be financially responsible for any costs relating to this second opinion and that such costs shall be in excess of the required benefit levels; and

(iii) Pre-notification or preauthorization.

Except that the coverage provisions shall not require either a second opinion or pre-notification or preauthorization for treatment commencing within forty-eight hours or as soon as is reasonably possible, after the occurrence of an accident or trauma to the temporomandibular joint. This subsection applies only in those cases where the offeree has accepted any coverage.

2. Offers of the optional coverage required by subsection (1) of this section shall be included on the health maintenance organization’s application form(s) and retained by the health maintenance organization for five years or until the completion of the next examination of the health maintenance organization by the insurance commissioner, whichever occurs first. In those cases where there is no written application form, the health maintenance organization shall retain other written evidence of the offer of this optional coverage for temporomandibular joint disorders for the same period of time as required for application forms. This subsection applies only in those cases where the offeree has accepted any coverage.

3. With respect to coverage of disorders of the temporomandibular joint, health maintenance organizations shall not engage in discriminatory practices against persons submitting claims for that coverage, nor shall they engage in discriminatory practices against licensed health care providers providing services within the scope of their licensure, for the treatment of disorders of the temporomandibular joint. This shall not prejudice the ability of the health maintenance organization to limit its coverage to its participating providers.

4. For the purposes of the optional coverage for disorders of the temporomandibular joint required by subsections (1) through (3) of this section, the following definitions shall apply and shall be contained in the coverage contract:
a) “Temporomandibular joint disorders” shall include those disorders which have one or more of the following characteristics: Pain in the musculature associated with the temporomandibular joint, internal derangements of the temporomandibular joint, arthritic problems with the temporomandibular joint, or an abnormal range of motion or limitation of motion of the temporomandibular joint.

b) “Medical services” are those which are:
   (i) Reasonable and appropriate for the treatment of a disorder of the temporomandibular joint, under all the factual circumstances of the case; and
   (ii) Effective for the control or elimination of one or more of the following, caused by a disorder of the temporomandibular joint: Pain, infection, disease, difficulty in speaking, or difficulty in chewing or swallowing food; and
   (iii) Recognized as effective, according to the professional standards of good medical practice; and
   (iv) Not experimental or primarily for cosmetic purposes.

c) “Dental services” are those which are:
   (i) Reasonable and appropriate for the treatment of a disorder of the temporomandibular joint, under all the factual circumstances of the case; and
   (ii) Effective for the control or elimination of one or more of the following, caused by a disorder of the temporomandibular joint: Pain, infection, disease, difficulty in speaking, or difficulty in chewing or swallowing food; and
   (iii) Recognized as effective, according to the professional standards of good dental practice; and
   (iv) Not experimental or primarily for cosmetic purposes.

5. The requirements listed in the preceding subparagraphs of this section do not apply to those health maintenance agreements exempted by RCW 48.46.066 or 48.46.530(3), or other applicable law.

B. STATE MARKET PLAN ENHANCEMENTS

Oklahoma: Coverage for TMJ is limited to Employer Groups with 51+ employees. Coverage for TMJ is not available for Employer Groups with 50 or fewer employees.

Oregon: TMJ coverage is available when selected by the Group.

C. COVERED BENEFITS

IMPORTANT NOTE: Covered benefits are listed in Sections A, B and C. Always refer to Sections A and B for additional covered benefits not listed in this Section.

Note: For member specific coverage and limitations for the Treatment of TMJ, refer to the member’s Evidence of Coverage (EOC)/Schedule of Benefit (SOB) or contact the Customer Service Department.

Washington Large and Small:
Medically necessary Treatment for Temporomandibular Joint (TMJ) Disorders that result in severe functional impairment and limited jaw movement caused by a medical condition. Severe functional impairment means the impairment is a demonstrable physiologic condition that adversely affects the normal functions of the Temporomandibular Joint and lower and upper jaw.

Texas:
Medically necessary Treatment for Temporomandibular Joint (TMJ) Disorders.

See Medical Management Guideline: Temporomandibular Joint Disorders.

D. NOT COVERED

See Medical Management Guideline: Temporomandibular Joint Disorders.
## E. POLICY HISTORY/REVISION INFORMATION

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<th>State(s) Affected</th>
<th>Action/Description</th>
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