

# Office of Comptroller General Bulletin No. 83 – E – 2

from: Insurance Commissioner State of Georgia

## RE: Treatment of Orofacial Pain

“It has come to my attention that many accident and sickness insurers are attempting to deny payment of benefits under major medical and dental contracts for treatment of Orofacial pain which included but is not limited to Temporomandibular Joint Dysfunction Syndrome (TMJ). Apparently, patients complaining of headaches, muscle tenderness, and numerous other head, neck and facial pains are attempting to be classified by major medical insurers as suffering from “TMJ” when treatment of symptoms is provided by a dentist. When the same patient is treated by a physician for the same complaints, the patient is considered to be suffering from a specific medical problem classified according to the presenting symptoms. The designation of a broad, nonspecific category of symptoms classified as “TMJ” has led carriers to consider benefit coverage for treatment of these symptoms as if there were a single entity with one treatment appropriate in all cases.

Subsection 33-30-7 (c) of Georgia Insurance Code provides:

“Any other laws to the contrary notwithstanding whenever the term “physician” or “surgeon” is used in any policy of health or accident insurance issued in this state or in any contract for the provision of health care, services, or benefits issued by any health, medical, or any other service corporation existing under, and by virtue of, any laws of this state, said term shall include, within its meaning medical practitioners licensed under and in accordance with Chapter 11 of Title 43, relating to dentists, in respect to any care, services, procedures, or benefits covered by said policy of insurance or health contract which said persons are licensed to perform, any provisions in such policy of insurance or health care contract to the contrary notwithstanding. This subsection shall be applicable to all policies in this state regardless of date of issue.”

“I have concluded that the following claims for treatment of Orofacial Pain including but not limited to TMJ and Myofacial Pain should be allowed under a major medical plan regardless of how classified and whether or not treatment is provided by a physician or a dentist:

1. Health history (medical and dental) pertinent to symptoms.
2. Clinical examination related to presenting symptoms.
3. Radiographic examination (radiographs must be diagnostic for orofacial disorders).
4. Muscle injections.
5. Temporary orthotics (splint or appliance no more than one every three years with adjustments as necessary). Those appliances designed for orthodontic purposes are not covered.
6. Electromyographic studies of head and neck muscles but not to include muscle testing or kiniesiology.
7. Physical medicine and physiotherapy:
  1. Heat treatment
  2. Ultrasound
  3. Diathermy
  4. High voltage galvanic stimulation
  5. Transcutaneous nerve stimulation
  6. Vapocoolant sprays
8. Biofeedback, relaxation training, and hypnosis.
9. Surgery on the temporomandibular joint.”

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