

# MAINE STATE LEGISLATURE

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L.D. 1936

DATE: 3-17-06

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EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
SENATE
122ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 737, L.D. 1936, Bill, "An Act To Include Oral Health Assessment with Other Preschool Testing for Maine's Children"

Amend the bill by striking out the title and substituting the following:

'An Act To Improve the Oral Health of Maine's Children'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 20-A MRSA §6454 is enacted to read:

§6454. Oral health assessments

The commissioner shall cooperate with the Commissioner of Health and Human Services in implementing a grant program developed in accordance with Title 22, section 2128 to increase the provision of oral health assessments for children entering elementary school. A child whose parent objects in writing to an oral health assessment on religious grounds may not be assessed.

Sec. 2. 22 MRSA §2128 is enacted to read:

§2128. Grant program to promote oral health assessments and care for children

COMMITTEE AMENDMENT

2023

COMMITTEE AMENDMENT "A" to S.P. 737, L.D. 1936

2 The commissioner, in consultation with the Commissioner of  
3 Education, shall administer a grant program to promote oral  
4 health assessments of children entering elementary school and  
5 facilitate the provision of care for those students identified as  
6 in need of dental services.

7 1. Eligibility for grants. A nonprofit organization may  
8 apply for a grant by submitting an application as requested by  
9 the commissioner to demonstrate that the applicant:

10 A. Has entered into a memorandum of understanding with a  
11 school administrative unit to provide oral health  
12 assessments;

13 B. Is able to provide dental care or secure dental care  
14 through an identified dental care provider to a child  
15 identified as needing dental care within 6 months of the  
16 assessment date; and

17 C. Has the capacity to record and compile data identified  
18 by the commissioner as necessary to monitor and evaluate the  
19 grant program.

20 2. Children served. A recipient of a grant shall contract  
21 with a school administrative unit to provide oral health  
22 assessments to children entering kindergarten or as soon as  
23 practicable upon a child's initial enrollment in an elementary  
24 school. A recipient of a grant shall provide assessments and  
25 necessary dental services to children who are eligible for  
26 MaineCare or members of MaineCare and to children who do not have  
27 insurance for dental care.

28 3. Duties of commissioner. The commissioner, in  
29 consultation with the Commissioner of Education, shall develop:

30 A. A process for reviewing applications and selecting grant  
31 recipients;

32 B. Criteria for prioritizing geographic areas to be served;

33 C. Standards for oral health assessments conducted under  
34 this section, including, but not limited to, the  
35 qualifications of the dental professional conducting the  
36 assessment and the equipment used and steps included in an  
37 assessment;

38 D. Guidelines for the types of dental disease or  
39 abnormality that when detected indicate a need for dental  
40 care within 6 months of the assessment date;

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2 E. A prevention and educational component to be  
incorporated into the assessments; and

4 F. A program evaluation process and measures for assessing  
the impact and effectiveness of the grant program.

6 **4. Administration.** The commissioner may contract for  
8 administration of the grant program or components of the grant  
10 program.

12 **5. Fund established.** The Maine School Oral Health Fund is  
established as a dedicated, nonlapsing fund within the  
14 department. The commissioner may accept funds from any public or  
private source for the purposes of awarding grants and  
16 administering the grant program under this section.

18 **6. Rulemaking.** The commissioner, in consultation with the  
Commissioner of Education, may adopt rules to implement this  
20 section. Rules adopted in accordance with this subsection are  
routine technical rules as defined in Title 5, chapter 375,  
22 subchapter 2-A.

24 **Sec. 3. Commissioner of Education and Commissioner of Health and**  
**Human Services to convene task force.** The Commissioner of Education  
26 and the Commissioner of Health and Human Services shall convene a  
task force to assist in developing the grant program under the  
28 Maine Revised Statutes, Title 22, section 2128. The  
commissioners shall invite representatives of the following to  
30 participate in the task force: the Maine Dental Association; the  
Maine Dental Hygienists' Association; the Maine Association of  
32 School Nurses; the Maine School Management Association; the Maine  
Principals' Association; the Department of Health and Human  
34 Services, Office of MaineCare Services; and organizations  
providing dental services to low-income children.

36 1. The task force shall recommend a model or models for the  
provision of dental health assessments in schools or facilitated  
38 by school administrative units and a system for referrals when  
dental disease or abnormality is detected. The model or models  
40 must include recommendations for the following: the  
qualifications needed by the professional conducting the  
42 assessments; the equipment to be used in making the assessment;  
the steps included in an assessment; a prevention and educational  
44 component; and measures used to evaluate outcomes.

46 2. The task force shall advise the Commissioner of Education  
and the Commissioner of Health and Human Services on the  
48 development of the grant program. The task force shall recommend  
criteria for selecting nonprofit agencies to receive grants and  
50 school administrative units to participate. -

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2 3. The Commissioner of Education and the Commissioner of  
4 Health and Human Services shall report back to the joint standing  
committee of the Legislature having jurisdiction over education  
6 matters no later than February 15, 2007 on the grant program.  
The report must include a description of the grant program  
8 developed under this Act, the number of grants awarded, the  
geographic areas being served, the number of assessments  
completed and a summary of dental care provided.

10 **Sec. 4. Transfer.** Beginning in fiscal year 2006-07, the State  
12 Controller shall transfer \$150,000 annually at the beginning of  
each fiscal year from General Fund undedicated revenue to the  
14 Maine School Oral Health Fund within the Department of Health and  
Human Services for oral health assessments and dental services to  
16 eligible elementary school children.

18 **Sec. 5. Appropriations and allocations.** The following  
appropriations and allocations are made.

20 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

22 **Maine School Oral Health Fund NEW**

24 Initiative: Allocates funds for a grant program to provide oral  
26 health assessments and dental services to eligible elementary  
school children.

|    |  |                |                   |
|----|--|----------------|-------------------|
| 28 | <b>OTHER SPECIAL REVENUE FUNDS</b>       | <b>2005-06</b> | <b>2006-07</b>    |
| 30 | All Other                                | \$0            | \$150,000         |
| 32 | <b>OTHER SPECIAL REVENUE FUNDS TOTAL</b> | <u>\$0</u>     | <u>\$150,000'</u> |

34 **SUMMARY**

36 This amendment replaces the bill. It directs the  
38 Commissioner of Health and Human Services, in consultation with  
40 the Commissioner of Education, to develop and implement a grant  
program to award funds to nonprofit organizations to provide oral  
42 health assessments and dental services to eligible children. It  
directs the Commissioner of Education and the Commissioner of  
44 Health and Human Services to convene a task force to assist in  
developing and implementing the grant program. The task force is  
46 charged with advising the commissioners on models for the  
provision of oral health assessments in the schools or that are  
48 facilitated by school administrative units and criteria to use in

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2 selecting among applicants for grants and schools to  
participate. The commissioners are required to report back to  
4 the joint standing committee of the Legislature having  
jurisdiction over education matters. The amendment also adds an  
6 appropriations and allocations section.

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**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 1936

LR 2670(02)

## An Act to Include Oral Health Assessment with Other Preschool Testing for Maine's Children

Fiscal Note for Bill as Amended by Committee Amendment "A"  
Committee: Education and Cultural Affairs

Fiscal Note Required: Yes

### Fiscal Note

|                                   | 2005-06 | 2006-07     | Projections<br>2007-08 | Projections<br>2008-09 |
|-----------------------------------|---------|-------------|------------------------|------------------------|
| <b>Net Cost (Savings)</b>         |         |             |                        |                        |
| General Fund                      | \$0     | \$150,000   | \$150,000              | \$150,000              |
| <b>Appropriations/Allocations</b> |         |             |                        |                        |
| Other Special Revenue Funds       | \$0     | \$150,000   | \$150,000              | \$150,000              |
| <b>Transfers</b>                  |         |             |                        |                        |
| General Fund                      | \$0     | (\$150,000) | (\$150,000)            | (\$150,000)            |
| Other Special Revenue Funds       | \$0     | \$150,000   | \$150,000              | \$150,000              |

### Fiscal Detail and Notes

The bill authorizes annual transfers of \$150,000 from the General Fund to a new Maine School Oral Health Fund to provide grants for oral health assessments and oral health care of children entering school. Additional costs to the Department of Health and Human Services to administer the program would be funded utilizing funds provided in the bill or absorbed utilizing existing budgeted resources. Costs to the Department of Education associated with consulting with the Department of Health and Human Services to develop and implement the Maine School Oral Health Program can be absorbed utilizing existing budgeted resources.