

MAINE STATE LEGISLATURE

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ME
R. 43

Date 6-19-13

(Filing No. H-562)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1068,
L.D. 1486, Bill, "An Act To Reduce the Use of Hospital Emergency Departments for
Preventable Oral Health Conditions"

Amend the amendment by inserting after the title and before the first paragraph the
following:

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

**'An Act To Maximize Funds Available To Provide Oral Health Care Services to
Persons with Developmental, Behavioral or Other Severely Disabling Conditions
Requiring Specialized and Time-intensive Oral Health Care' '**

Amend the amendment in the first paragraph after the title in the first line (page 1,
line 12 in amendment) by striking out the following: "adding after section 2 the
following:" and inserting the following: 'striking out all of sections 1 and 2 and inserting
the following:'

Amend the amendment by striking out all of section 3 and inserting the following:

'Sec. 1. 22 MRSA §3174-F, sub-§1, ¶D, as amended by PL 1997, c. 159, §1, is
further amended to read:

D. Treatment necessary to relieve pain, eliminate infection or prevent imminent
tooth loss; ~~and~~

Sec. 2. 22 MRSA §3174-F, sub-§1, ¶F, as enacted by PL 1997, c. 159, §2, is
further amended to read:

F. Other dental services, including full and partial dentures, medically necessary to
correct or ameliorate an underlying medical condition, if the department determines
that provision of those services will be cost-effective in comparison to the provision
of other covered medical services for the treatment of that condition; and

Sec. 3. 22 MRSA §3174-F, sub-§1, ¶G is enacted to read:

G. Medically necessary preventive and restorative dental services as determined by
the department for persons with developmental, behavioral or other severely
disabling conditions requiring specialized and time-intensive oral health care.

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Sec. 4. Submit state plan amendment; contingent effective date. By October 1, 2013, the Department of Health and Human Services shall submit a state plan amendment to the to the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services to provide preventive and restorative dental services for persons with developmental, behavioral or other severely disabling conditions requiring specialized and time-intensive oral health care. The Commissioner of Health and Human Services shall notify the Revisor of Statutes when the amendment to the state plan is approved, and the Maine Revised Statutes, Title 22, section 3174-F, subsection 1, paragraph G takes effect on the date of that notification.

If the state plan amendment submitted pursuant to this section is not approved, Title 22, section 3174-F, subsection 1, paragraph G does not take effect.

Sec. 5. Transfer of funds for MaineCare payments. Notwithstanding any other provision of law, upon approval of the state plan amendment as required under this Act, the Department of Health and Human Services shall transfer available funds in the All Other line categories in the Mental Health Services - Community and the Developmental Services - Community accounts in the Department of Health and Human Services appropriated for contracted services for dental care previously provided by the Portland Dental Clinic to the appropriate MaineCare account to provide the State's share of the MaineCare costs resulting from the state plan amendment approved under this Act. These transfers must be made by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.'

SUMMARY

This amendment requires the Department of Health and Human Services to seek a Medicaid state plan amendment to provide preventive and restorative dental services for adults with developmental, behavioral or other severely disabling conditions who require specialized and time-intensive care and services. The department is authorized to implement such coverage with approval from the Centers for Medicare and Medicaid Services and transfer funds currently used for services provided at the Portland Dental Clinic.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY: 

(Representative GATTINE)

TOWN: Westbrook



126th MAINE LEGISLATURE

LD 1486

LR 1782(03)

An Act To Reduce the Use of Hospital Emergency Departments for Preventable Oral Health Conditions

Fiscal Note for House Amendment "A" to Committee Amendment "A"

Sponsor: Rep. Gattine of Westbrook

Fiscal Note Required: Yes

Fiscal Note

Current biennium cost increase - General Fund

	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)				
General Fund	(\$1,935,957)	(\$2,220,397)	(\$668,778)	(\$688,778)
Appropriations/Allocations				
General Fund	(\$1,935,957)	(\$2,220,397)	(\$668,778)	(\$688,778)
Federal Expenditures Fund	(\$3,132,657)	(\$3,554,368)	(\$1,102,581)	(\$1,102,581)

Fiscal Detail and Notes

This amendment eliminates the costs in the committee amendment. It adds a new cost for the Department of Health and Humans Services to provide MaineCare coverage for preventative and restorative dental services to a subset of the adult population conditioned on the approval of a State plan amendment by the federal Centers for Medicare and Medicaid Services. The costs and timing of this expanded coverage cannot be determined. The availability and adequacy of existing appropriated funds to fund the State share of the costs of this coverage also cannot be determined.