

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1749

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H.P. 1256

House of Representatives, January 28, 2014

**An Act To Create Greater Cost Efficiency and Improve Health  
Outcomes by Incorporating Increased Access to Dental Services for  
Adults through MaineCare's Care Management and Coordination  
Initiatives**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health and Human Services suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative GATTINE of Westbrook.  
Cosponsored by Senator CRAVEN of Androscoggin and  
Representatives: CASSIDY of Lubec, FARNSWORTH of Portland, STUCKEY of Portland.

1           **Emergency preamble.** Whereas, acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas**, the cost of providing care for acute dental conditions to MaineCare  
4 members has a tremendous negative impact on the MaineCare budget and this legislation  
5 needs to take effect before the expiration of the 90-day period to lessen that impact; and

6           **Whereas**, in the judgment of the Legislature, these facts create an emergency within  
7 the meaning of the Constitution of Maine and require the following legislation as  
8 immediately necessary for the preservation of the public peace, health and safety; now,  
9 therefore,

10 **Be it enacted by the People of the State of Maine as follows:**

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

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

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

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

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

22           G. Preventive and restorative dental services necessary to treat oral health conditions  
23 if:

24           (1) Those services are referred by an individual's home health care provider or  
25 other provider approved by the department; and

26           (2) The home health care provider or other provider determines the provision of  
27 those services is necessary to prevent the need for more costly care.

28           **Sec. 4. Rulemaking.** The Department of Health and Human Services shall adopt  
29 routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375,  
30 subchapter 2-A to implement the provisions in Title 22, section 3174-F, subsection 1,  
31 paragraph G no later than July 1, 2014.

32           **Emergency clause.** In view of the emergency cited in the preamble, this  
33 legislation takes effect June 1, 2014.

34 **SUMMARY**

35           This bill builds upon Department of Health and Human Services MaineCare  
36 initiatives to better coordinate care and to reduce health care costs by allowing

1 MaineCare coverage of preventive or restorative dental services to persons 21 years of  
2 age and older when department-authorized care coordination entities determine that the  
3 provision of those services is cost-effective.