

MAINE STATE LEGISLATURE

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5/16/15
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MAJORITY

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L.D. 860

Date: 6/9/15

(Filing No. S-235)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

127TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 304, L.D. 860, "Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Dental Services under the MaineCare Program"

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

'Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program'

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

Sec. 1. Reimbursement rate rules. Resolved: That the Department of Health and Human Services shall annually review and incrementally adjust equally in each of the next 5 years following the effective date of this resolve the reimbursement rates under the MaineCare program for dental codes D0120, D0140, D0150, D0220, D0272, D0330, D1110, D1120, D1208, D1351, D2140, D2150, D2160, D2330, D2331, D2332, D2391, D2392, D2393, D3330, D7140 and D7210 until the reimbursement rates reflect the 10th percentile of the fees for the New England region in the most recent "Survey of Dental Fees" published by the American Dental Association. After the reimbursement rates reach the 10th percentile, the department shall amend its rule Chapter 101: MaineCare Benefits Manual to require that the rates be adjusted annually for inflation in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2. Dental services for pregnant women. Resolved: That, by January 1, 2016, the Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic and preventive services to pregnant women and postpartum women for one year after the birth to ameliorate conditions or reduce complications that exist because of or are exacerbated by the pregnancy or that, if left untreated, could adversely affect fetal or child development; and be it further

COMMITTEE AMENDMENT

ROFS

1 **Sec. 3. Dental services to avoid more costly medical or dental care.**
2 **Resolved:** That, by January 1, 2016, the Department of Health and Human Services
3 shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to
4 cover adult dental services provided to avoid more costly medical or dental care; and be it
5 further

6 **Sec. 4. Notice to MaineCare members and providers of dental services.**
7 **Resolved:** That the Department of Health and Human Services shall provide to
8 MaineCare members and providers of dental services notice of changes in benefits to
9 MaineCare members pursuant to rule changes under sections 2 and 3; and be it further

10 **Sec. 5. Stakeholder group. Resolved:** That prior to adopting rules pursuant to
11 section 3, the Department of Health and Human Services shall convene a stakeholder
12 group to identify dental services necessary to avoid more costly medical or dental care.
13 The stakeholder group must consist of members representing dentists, federally qualified
14 health centers, dental hygienists, hospitals and a clinical health system with experience in
15 adult oral health initiatives; and be it further

16 **Sec. 6. Appropriations and allocations. Resolved:** That the following
17 appropriations and allocations are made.

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

19 **Medical Care - Payments to Providers 0147**

20 Initiative: Provides funding to incrementally adjust the MaineCare reimbursement rates
21 for certain dental services annually over the next 5 years until the rates reach the 10th
22 percentile of the fees for the New England region.

23	GENERAL FUND	2015-16	2016-17
24	All Other	\$839,452	\$2,238,539
25			
26	GENERAL FUND TOTAL	<u>\$839,452</u>	<u>\$2,238,539</u>

27	FEDERAL EXPENDITURES FUND	2015-16	2016-17
28	All Other	\$1,409,281	\$3,758,083
29			
30	FEDERAL EXPENDITURES FUND TOTAL	<u>\$1,409,281</u>	<u>\$3,758,083</u>

31 **Medical Care - Payments to Providers 0147**

32 Initiative: Provides funding to add restorative, diagnostic and preventive dental services
33 to pregnant women and postpartum women for one year after delivery.

ROFS

COMMITTEE AMENDMENT "A" to S.P. 304, L.D. 860

1	GENERAL FUND	2015-16	2016-17
2	All Other	\$301,113	\$602,225
3			
4	GENERAL FUND TOTAL	<u>\$301,113</u>	<u>\$602,225</u>
5	FEDERAL EXPENDITURES FUND	2015-16	2016-17
6	All Other	\$505,511	\$1,011,023
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$505,511</u>	<u>\$1,011,023</u>
9	Office for Family Independence Z020		
10	Initiative: Provides funding for the automated client eligibility system changes, testing		
11	and oversight to add restorative, diagnostic and preventive dental services to pregnant		
12	women and postpartum women for one year after delivery.		
13	GENERAL FUND	2015-16	2016-17
14	All Other	\$5,600	\$0
15			
16	GENERAL FUND TOTAL	<u>\$5,600</u>	<u>\$0</u>
17	OTHER SPECIAL REVENUE FUNDS	2015-16	2016-17
18	All Other	\$5,600	\$0
19			
20	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$5,600</u>	<u>\$0</u>
21	Office of MaineCare Services 0129		
22	Initiative: Provides funding for the Maine integrated health management solution		
23	changes, testing and oversight to add restorative, diagnostic and preventive dental		
24	services to pregnant women and postpartum women for one year after delivery.		
25	GENERAL FUND	2015-16	2016-17
26	All Other	\$41,556	\$0
27			
28	GENERAL FUND TOTAL	<u>\$41,556</u>	<u>\$0</u>
29	FEDERAL EXPENDITURES FUND	2015-16	2016-17
30	All Other	\$124,667	\$0
31			
32	FEDERAL EXPENDITURES FUND TOTAL	<u>\$124,667</u>	<u>\$0</u>

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "A" to S.P. 304, L.D. 860

1	HEALTH AND HUMAN SERVICES,		
2	DEPARTMENT OF (FORMERLY DHS)		
3	DEPARTMENT TOTALS	2015-16	2016-17
4			
5	GENERAL FUND	\$1,187,721	\$2,840,764
6	FEDERAL EXPENDITURES FUND	\$2,039,459	\$4,769,106
7	OTHER SPECIAL REVENUE FUNDS	\$5,600	\$0
8			
9	DEPARTMENT TOTAL - ALL FUNDS	\$3,232,780	\$7,609,870
10			

11 **SUMMARY**

12 This amendment is the majority report of the committee. It clarifies that increases to
13 reimbursement rates of the dental codes in the resolve are to be made in 5 equal increases.
14 The amendment requires the Department of Health and Human Services to amend the
15 rules under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to cover
16 diagnostic and preventive services to pregnant women and postpartum women and dental
17 services necessary to avoid more costly medical or dental care as identified by a
18 stakeholder group. It requires the Department of Health and Human Services to provide
19 information concerning adult dental benefits to adult MaineCare members and providers.
20 It requires the department to adopt rules by January 1, 2016 relating to dental coverage
21 for pregnant women and postpartum women and for services provided to avoid more
22 costly medical or dental care. The amendment also adds an appropriations and
23 allocations section. The amendment also changes the title and adds a fiscal note.

24 **FISCAL NOTE REQUIRED**

25 **(See attached)**



127th MAINE LEGISLATURE

LD 860

LR 1699(02)

Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Dental Services under the MaineCare Program

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-235)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

	FY 2015-16	FY 2016-17	Projections FY 2017-18	Projections FY 2018-19
Net Cost (Savings)				
General Fund	\$1,187,721	\$2,840,764	\$3,960,033	\$5,079,303
Appropriations/Allocations				
General Fund	\$1,187,721	\$2,840,764	\$3,960,033	\$5,079,303
Federal Expenditures Fund	\$2,039,459	\$4,769,106	\$6,648,148	\$8,527,189
Other Special Revenue Funds	\$5,600	\$0	\$0	\$0
Revenue				
Federal Expenditures Fund	\$2,039,459	\$4,769,106	\$6,648,148	\$8,527,189
Other Special Revenue Funds	\$5,600	\$0	\$0	\$0

Fiscal Detail and Notes

The bill includes General Fund appropriations to the Department of Health and Human Services (DHHS) of \$1,187,721 in fiscal year 2015-16 and \$2,840,764 in fiscal year 2016-17 to incrementally adjust the MaineCare reimbursement rates for certain dental services annually over the next 5 years until the rates reach the 10th percentile of the fees for the New England region in the most recent "Survey of Dental Fees" published by the American Dental Association, to add restorative, diagnostic and preventive dental services to pregnant and postpartum women for one year after delivery, and to cover Automated Client Eligibility System (ACES) and Maine Integrated Health Management Solution changes, testing and Office of Information Technology oversight. Federal Expenditures Fund allocations will also be required for the FMAP match. An Other Special Revenue Funds allocation is also included in fiscal year 2015-16 to allow expenditure of DHHS allocation plan revenue received for ACES changes.