

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 1955

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H.P. 1399

House of Representatives, January 8, 2020

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**An Act To Promote Cost-effectiveness in the MaineCare Program  
and Improve the Oral Health of Maine Adults and Children**

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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.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative GATTINE of Westbrook.  
Cosponsored by Senator SANBORN, L. of Cumberland and  
Representatives: CRAVEN of Lewiston, MARTIN of Eagle Lake, MEYER of Eliot, Senators:  
BREEN of Cumberland, GRATWICK of Penobscot.

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

2 **Sec. 1. 22 MRSA §3174-F, sub-§1**, as amended by PL 1997, c. 159, §§1 and 2  
3 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

4 **1. Coverage provided.** The Department of Health and Human Services shall  
5 provide the following dental services, reimbursed under the United States Social Security  
6 Act, Title XIX, or successors to it, to individuals 21 years of age and over, ~~limited to:~~

7 A. Acute surgical care directly related to an accident where traumatic injury has  
8 occurred. This coverage will only be provided for the first 3 months after the  
9 accident;

10 B. Oral surgical and related medical procedures not involving the dentition and  
11 gingiva;

12 C. Extraction of teeth that are severely decayed and pose a serious threat of infection  
13 during a major surgical procedure of the cardiovascular system, the skeletal system or  
14 during radiation therapy for a malignant tumor;

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

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

21 G. Other comprehensive preventive, diagnostic and restorative dental services that  
22 are medically necessary to maintain good oral and overall health in accordance with  
23 rules adopted by the department.

24 **Sec. 2. Department of Health and Human Services to work with**  
25 **providers to encourage participation.** The Department of Health and Human  
26 Services shall work with providers of oral health care and dental services to encourage  
27 participation in the MaineCare program to ensure access to the services required by the  
28 Maine Revised Statutes, Title 22, section 3174-F, subsection 1.

29 **Sec. 3. Department of Health and Human Services to develop a public**  
30 **education campaign.** The Department of Health and Human Services shall develop  
31 public education materials and strategies for distribution of those materials including:

32 1. Materials provided to adult MaineCare members who receive dental services  
33 pursuant to the Maine Revised Statutes, Title 22, section 3174-F, subsection 1 on the  
34 necessity of dental services for children and infants, the recommended timetable for  
35 services to children and information relating to oral health care and dental providers who  
36 provide services to children in the MaineCare program; and

37 2. Materials provided to MaineCare members who are aging out of children's  
38 coverage under the MaineCare program and who are eligible to enroll as an adult

1 MaineCare member regarding the availability of the comprehensive adult dental benefit  
2 under the Maine Revised Statutes, Title 22, section 3174-F, subsection 1.

3 The department shall engage stakeholders, including providers of pediatric medical  
4 services and oral health care and dental services, in developing materials for distribution  
5 and strategies for the distribution of those materials required under this section.

6 **Sec. 4. Report.** The Department of Health and Human Services shall determine  
7 the costs of the comprehensive adult dental benefit under the Maine Revised Statutes,  
8 Title 22, section 3174-F, subsection 1 and the savings from reduced hospital emergency  
9 room visits and prescription drug costs from the provision of the comprehensive adult  
10 dental benefit for a period of 5 years beginning with the effective date of this Act. The  
11 costs and savings must be provided in a report to the joint standing committees of the  
12 Legislature having jurisdiction over health and human services matters and appropriations  
13 and financial affairs no later than January 1, 2026.

14 **SUMMARY**

15 This bill adds comprehensive, medically necessary preventive, diagnostic and  
16 restorative dental services to the limited dental services currently available to MaineCare  
17 members 21 years of age and over. It requires the Department of Health and Human  
18 Services to work with providers of oral health care and dental services to encourage  
19 participation in the MaineCare program. It requires the department to develop  
20 educational materials and strategies for the distribution of those educational materials  
21 relating to the importance of dental services for children and the availability of the  
22 comprehensive adult dental benefit to children covered by the MaineCare program who  
23 are aging out of the program. The department is required to provide a 5-year report on  
24 costs and savings relating to the comprehensive adult dental benefit to the joint standing  
25 committees of the Legislature having jurisdiction over health and human services matters  
26 and appropriations and financial affairs no later than January 1, 2026.