

# MAINE STATE LEGISLATURE

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Date: 3/20/26

(Filing No. H-876)

HEALTH AND HUMAN SERVICES

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1438, L.D. 2123, "An Act to Improve Dental Care Access for Children by Modifying the MaineCare Reimbursement Methodology for the Provision of Anesthesia for Certain Dental Services"

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

'Resolve, to Improve Dental Care Access by Modifying the MaineCare Reimbursement Methodology for the Provision of Certain Dental Services'

Amend the bill by striking out everything after the title and inserting the following:

'Sec. 1. Department of Health and Human Services to remove requirement for prior authorization for deep sedation or general anesthesia for dental services. Resolved: That, effective July 1, 2026, the Department of Health and Human Services shall provide that prior authorization may not be required for the provision of deep sedation or general anesthesia for dental services to MaineCare members.

Sec. 2. Department of Health and Human Services to modify fee schedule; reimbursement rates for anesthesia provided for dental services. Resolved: That, effective July 1, 2026, the Department of Health and Human Services shall update the department's fee schedule for MaineCare reimbursement for dental services as follows:

1. The reimbursement rate for deep sedation and general anesthesia for dental services must be established at 67% of the commercial median benchmark and this rate must, at a minimum, be maintained until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner; and

2. Deep sedation and general anesthesia services must be billed using current dental terminology codes D9222, D9223, D9224 and D9225.

Sec. 3. Department of Health and Human Services to modify fee schedule; reimbursement rates for certain dental services. Resolved: That the Department of Health and Human Services shall provide for the following in its fee schedule for MaineCare reimbursement for dental services:

COMMITTEE AMENDMENT

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1 1. The temporary reimbursement rates for tooth extractions billed using current dental  
2 terminology code D7140 must, at a minimum, be maintained until June 30, 2028 or until  
3 rates established pursuant to a dental rate determination conducted according to the Maine  
4 Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner; and

5 2. The temporary reimbursement rate for dental caries arresting medicament  
6 application billed using current dental terminology code D1354 must, at a minimum, be  
7 maintained until June 30, 2028 or until rates established pursuant to a dental rate  
8 determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J  
9 are effective, whichever is sooner.

10 **Sec. 4. Appropriations and allocations. Resolved:** That the following  
11 appropriations and allocations are made.

12 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**  
13 **Medical Care - Payments to Providers 0147**

14 Initiative: Provides funding for the Department of Health and Human Services to prohibit  
15 requirements for prior authorization for deep sedation or general anesthesia for dental  
16 services provided to MaineCare members and establish a reimbursement rate for these  
17 services at 67% of the commercial median benchmark.

18	<b>GENERAL FUND</b>	<b>2025-26</b>	<b>2026-27</b>
19	All Other	\$0	\$17,580
20			
21	<b>GENERAL FUND TOTAL</b>	<hr/> \$0	<hr/> \$17,580

23	<b>FEDERAL EXPENDITURES FUND</b>	<b>2025-26</b>	<b>2026-27</b>
24	All Other	\$0	\$31,647
25			
26	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<hr/> \$0	<hr/> \$31,647

28	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2025-26</b>	<b>2026-27</b>
29	All Other	\$0	\$5,787
30			
31	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<hr/> \$0	<hr/> \$5,787

32 **Sec. 5. Retroactivity. Resolved:** That this resolve applies retroactively to July 1,  
33 2026.'

34 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
35 number to read consecutively.

36 **SUMMARY**

37 This amendment replaces the bill with a resolve and removes the emergency preamble  
38 and emergency clause. It requires the Department of Health and Human Services to do the  
39 following, effective July 1, 2026:

40 1. Provide that prior authorization may not be required for the provision of deep  
41 sedation or general anesthesia for dental services; and

ROS

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2. Establish the reimbursement rate for deep sedation and general anesthesia for dental services at 67% of the commercial median benchmark, to be maintained until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to the Maine Revised Statutes, Title 22, section 3173-J are effective, whichever is sooner.

It also requires the department to maintain temporary reimbursement rates for tooth extractions and dental caries arresting medicament applications until June 30, 2028 or until rates established pursuant to a dental rate determination conducted according to Title 22, section 3173-J are effective, whichever is sooner.

**FISCAL NOTE REQUIRED**  
**(See attached)**



# 132nd MAINE LEGISLATURE

LD 2123

LR 2747(02)

## An Act to Improve Dental Care Access for Children by Modifying the MaineCare Reimbursement Methodology for the Provision of Anesthesia for Certain Dental Services

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-876)  
 Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$17,580	\$17,651	\$17,651
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$17,580	\$17,651	\$17,651
Federal Expenditures Fund	\$0	\$31,647	\$31,585	\$31,585
Federal Block Grant Fund	\$0	\$5,787	\$5,778	\$5,778
<b>Revenue</b>				
Federal Expenditures Fund	\$0	\$31,647	\$31,585	\$31,585
Federal Block Grant Fund	\$0	\$5,787	\$5,778	\$5,778

#### Fiscal Detail and Notes

This bill provides General Fund appropriations of \$17,580 in fiscal year 2026-27 to the Department of Health and Human Services for the Office of MaineCare Services to not require prior authorization for deep sedation or general anesthesia for dental services, and establish a reimbursement rate for these services at 67% of the commercial median benchmark. Federal Expenditures Fund allocations will also be required for the FMAP match.