

The Vermont Statutes Online

Title 33: Human Services

Chapter 45: CHILDREN'S COMPREHENSIVE DENTAL HEALTH PROGRAM

§ 4501. Definitions

As used in this chapter:

(1) "Eligible person" means a resident of this state who has not attained the age of majority;

(2) "Secretary" means the Secretary of Human Services;

(3) "Program" means the comprehensive dental program established under this chapter;

(4) "Eligible income" means household income as defined in 32 V.S.A. § 5961(4) minus \$1,000.00 for each dependent who has not attained the age of majority.

(5) "Cost of such services" means the actual cost of the services according to the schedules established by the Secretary, or fees established by the Secretary in accordance with a prepayment plan approved by the Secretary.

(6), (7) [Repealed.] (Added 1973, No. 84, § 1; amended 1973, No. 152 (Adj. Sess.), § 34, eff. April 14, 1974; 1979, No. 127 (Adj. Sess.), § 2; 1999, No. 147 (Adj. Sess.), § 4; 2005, No. 174 (Adj. Sess.), § 140.)

§ 4502. Formulation and administration of a comprehensive dental program

(a) The secretary shall formulate and administer a comprehensive dental program under which all eligible persons shall be provided with an opportunity to receive dental education, early and periodic screening and diagnosis and treatment.

(b) The secretary may promulgate such rules and regulations as are necessary to administer properly the program, including but not limited to regulations to determine the eligibility of self-employed persons. (Added 1973, No. 84, § 1.)

§ 4503. Provision of care

In the establishment of this program, and in subsequent reviews of its operation, the secretary shall identify available screening, diagnostic and treatment facilities, to assure that eligible individuals may receive the services of such facilities. In areas lacking adequate facilities capable of providing the full range of services mandated by this chapter, the secretary may establish such

other adequate facilities as he deems appropriate to provide all necessary services. The facilities or methods of providing services may include, but are not limited to, private practitioners, mobile units, dental clinics, schools, transportation, and the training of paraprofessional dental personnel. (Added 1973, No. 84, § 1.)

§ 4504. Payments to providers

Payments to providers of dental services for services rendered under this program shall be according to a schedule established by the secretary. In establishing and reviewing the schedule annually, the secretary shall meet with representatives of the Vermont state dental society and consumers of dental services and shall reasonably consider such factors as the usual and customary fees for each of the various services provided. Providers of services shall receive the prior approval of the secretary for the services and for the fee to be paid therefor. No prior approval shall be required for services rendered under the established fee schedule for periodic screening, cleaning, and diagnosis conducted not more often than once every six months, nor shall prior approval be required for emergency treatment as defined by the secretary. Where prior approval is required, it shall be granted uniformly and equitably in accordance with a procedure established by the secretary. (Added 1973, No. 84, § 1.)

§ 4505. Cooperation of private dentists

No private dentist may be required to provide services under this program. (Added 1973, No. 84, § 1.)

§ 4506. Types of services

Every type of dental service which an eligible person needs, including but not limited to, specialists' services, x-rays, noncosmetic orthodontia and periodontal services, shall be available and covered under this chapter. (Added 1973, No. 84, § 1.)

§ 4507. Eligibility

(a) The secretary shall by regulation establish a system of application and certification of eligibility for the purposes of this chapter. Eligible families shall be notified annually by the secretary of their eligibility and shall be provided with evidence indicating their eligibility classification. Eligibility under this section shall remain valid for a period of one year.

(b) The commissioner of taxes, when requested by the secretary, shall compare any application filed pursuant to this chapter with the state income tax returns filed by persons making such application and shall report any instances of discrepancy to the secretary.

(c) The secretary of administration shall require the department of taxes to provide with the Vermont state income tax form a section indicating eligible income for purposes of this chapter. (Added 1973, No. 84, § 1.)

§ 4508. Comprehensive dental health

Payment for services by the legally liable relatives or guardians shall be made to the provider of services in accordance with a schedule to be established by the secretary and reviewed annually. The schedule shall provide that Medicaid eligible persons shall pay no part of the cost of the services, that legally liable relatives or guardians whose income disqualifies them for Medicaid but whose income is still below an eligible income of \$8,500.00 per year shall pay no more than 25 percent of the cost of the services and that legally liable relatives or guardians with eligible incomes between \$8,500.00 and \$16,000.00 shall pay no more than 50 percent of the cost of services. No payments shall be provided under this chapter for services to children whose legally liable relatives or guardians have eligible incomes in excess of \$16,000.00 per year. The secretary may, by regulation, modify the percentage participation to provide incentives for continuing periodic incremental examination and treatment. (Added 1973, No. 84, § 1; amended 1979, No. 127 (Adj. Sess.), § 3; 1981, No. 108, § 319; 1985, No. 178 (Adj. Sess.), § 3; 1989, No. 115.)

§ 4509. Education

(a) The secretary shall establish a program to acquaint the people of this state with the existence of this comprehensive dental care program and to encourage all eligible persons to participate therein. The efforts shall include, but are not limited to, regular announcements through all media outlets, direct notification to all recipients of public assistance of any type, and notices to all eligible persons through the school in which they are enrolled.

(b) The secretary may, with the cooperation of the commissioner of education, the state board of education and the Vermont State Dental Society, establish an educational program for public school educators and pupils, covering adequately the fundamentals of oral hygiene, diet, and nutrition education. (Added 1973, No. 84, § 1.)

§ 4510. Double coverage limitations

This chapter shall not apply to any dental services which are covered by any other dental insurance plan for which the recipient is eligible. (Added 1979, No. 127 (Adj. Sess.), § 4.)