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S.94

Introduced by Senators Hardy, Balint, Bray, Clarkson, Ingram, Lyons,
Pearson, Perchlik and Pollina

Referred to Committee on

Date:

Subject: Health; Medicaid; dental services; dentists

Statement of purpose of bill as introduced: This bill proposes to expand Medicaid beneficiaries' access to dental care by increasing Medicaid adult dental benefits, eliminating co-payments for preventive services, and directing the Department of Vermont Health Access to develop a new reimbursement structure for Medicaid participating dental providers and increase rates at least annually. It would establish the VDent dental assistance program for Medicare beneficiaries up to 225 percent of the federal poverty level. The bill would direct the Department of Vermont Access to explore opportunities to further expand access to dental care in Vermont, including examining the potential to reimburse for teledentistry services and exploring the possible integration of dental services into the work of accountable care organizations, and require the Department to include in its fiscal year 2021 budget proposal targeted rate increases to dental service providers. The bill would also require the Secretary of Human Services to apply to the Centers for Medicare and Medicaid Services

1 for approval to expand the Medicaid adult dental benefits and to secure federal
2 financial participation for the VDent program.

3 An act relating to expanding Medicaid beneficiaries' access to dental care
4 and establishing the VDent dental assistance program

5 It is hereby enacted by the General Assembly of the State of Vermont:

6 Sec. 1. 33 V.S.A. chapter 19, subchapter 4 is added to read:

7 Subchapter 4. Coverage for Dental Services

8 § 1991. DEFINITIONS

9 As used in this section:

10 (1) "Dental services" means preventive, diagnostic, or corrective
11 procedures related to the teeth and associated structures of the oral cavity.

12 (2) "Dental therapist" means an individual licensed to practice as a
13 dental therapist under 26 V.S.A. chapter 12.

14 (3) "Dentist" means an individual licensed to practice dentistry under
15 26 V.S.A. chapter 12.

16 § 1992. MEDICAID COVERAGE FOR ADULT DENTAL SERVICES

17 (a) Vermont Medicaid shall provide coverage for medically necessary
18 dental services provided by a dentist or dental therapist working within the
19 scope of the provider's license as follows:

1 (1) Up to two visits per calendar year for preventive services, including
2 prophylaxis and fluoride treatment, with no co-payment.

3 (2) Diagnostic, restorative, and endodontic procedures, to a maximum of
4 \$1,800.00 over a three-year period, provided that the Department of Vermont
5 Health Access may approve expenditures in excess of that amount when
6 exceptional medical circumstances so require.

7 (3) Other dental services as determined by the Department by rule.

8 (b)(1) The Department of Vermont Health Access shall develop a
9 reimbursement structure for dental services in the Vermont Medicaid program
10 that encourages dentists and dental therapists to provide preventive care and
11 discourages services such as extraction except as a last resort. The Department
12 shall increase reimbursement rates at least annually by the rate of inflation, as
13 determined by the Consumer Price Index.

14 (2) The Department of Vermont Health Access shall not reimburse for
15 extraction of clinically sound teeth.

16 § 1993. VDENT PROGRAM FOR MEDICARE BENEFICIARIES

17 (a) The VDent program is established as a State dental assistant program to
18 provide access to affordable dental services for Medicare beneficiaries. The
19 coverage provided in this section shall be available to Vermont residents
20 enrolled in Medicare with income at or below 225 percent of the federal
21 poverty level.

1 (b) The VDent program shall provide coverage for medically necessary
2 dental services provided by a dentist or dental therapist working within the
3 scope of the provider's license as follows:

4 (1) Up to two visits per calendar year for preventive services, including
5 prophylaxis and fluoride treatment, with no co-payment.

6 (2) Diagnostic, restorative, and endodontic procedures, to a maximum of
7 \$1,800.00 over a three-year period, provided that the Department of Vermont
8 Health Access may approve expenditures in excess of that amount when
9 exceptional medical circumstances so require.

10 (3) Other dental services as determined by the Department by rule.

11 (c) VDent reimbursements to providers of dental services shall be the same
12 as under the Vermont Medicaid program. The VDent program shall not
13 reimburse providers for extraction of clinically sound teeth.

14 Sec. 2. DENTAL ACCESS AND REIMBURSEMENT WORKING GROUP;
15 REPORT

16 (a) The Department of Vermont Health Access, in consultation with the
17 Board of Dental Examiners and the Vermont State Dental Society, shall
18 convene a working group of interested stakeholders to:

19 (1) evaluate current Medicaid reimbursement rates to dentists, dental
20 therapists, and other providers of dental services and determine the amount of
21 fiscally responsible increases to the rates for specific services that would be

1 needed in order to attract additional providers to participate in the Vermont
2 Medicaid program and to encourage providers to participate in the VDent
3 program; and

4 (2) explore opportunities to further expand access to dental care in
5 Vermont, including:

6 (A) examining the potential to reimburse dentists, dental therapists,
7 and dental hygienists for teledentistry services; and

8 (B) exploring the possible integration of dental services into the
9 scope of services provided through accountable care organizations.

10 (b) The Department of Vermont Health Access shall include in its fiscal
11 year 2021 budget proposal a request for the funding necessary to achieve
12 the reimbursement rates determined by the working group pursuant to
13 subdivision (a)(1) of this section.

14 (c) On or before November 1, 2019, the Department of Vermont Health
15 Access shall provide to the House Committee on Health Care and the Senate
16 Committee on Health and Welfare the working group's findings and
17 recommendations regarding opportunities to further expand access to dental
18 care pursuant to subdivision (a)(2) of this section.

19 Sec. 3. AMENDMENTS TO SECTION 1115 WAIVER AND STATE PLAN

20 (a) The Secretary of Human Services shall request approval from the
21 Centers for Medicare and Medicaid Services for an amendment to Vermont's

1 Medicaid State Plan to include expanded Medicaid dental benefits as set forth
2 in 33 V.S.A. § 1992.

3 (b) The Secretary of Human Services shall request approval from the
4 Centers for Medicare and Medicaid Services for an amendment to Vermont's
5 Global Commitment to Health Section 1115 demonstration for federal
6 financial participation in Vermont's VDent program established in 33 V.S.A.
7 § 1993.

8 Sec. 4. EFFECTIVE DATES

9 (a) Sec. 1 (33 V.S.A. § 1991), Sec. 2 (dental access and reimbursement
10 working group), Sec. 3 (waiver and State Plan amendments), and this section
11 shall take effect on passage.

12 (b) Sec. 1 (33 V.S.A. § 1992) shall take effect upon approval from the
13 Centers for Medicare and Medicaid Services of the State Plan amendment for
14 expanded Medicaid dental benefits.

15 (c) Sec. 1 (33 V.S.A. 1993) shall take effect upon approval from the
16 Centers for Medicare and Medicaid Services of the amendment to Vermont's
17 Global Commitment to Health Section 1115 demonstration for federal
18 financial participation in the VDent program.