

1 TO THE HONORABLE SENATE:

2 The Committee on Health and Welfare to which was referred Senate Bill
3 No. 94 entitled “An act relating to expanding Medicaid beneficiaries’ access to
4 dental care and establishing the VDent dental assistance program” respectfully
5 reports that it has considered the same and recommends that the bill be
6 amended by striking out all after the enacting clause and inserting in lieu
7 thereof the following:

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

9 Subchapter 4. Coverage for Dental Services

10 § 1991. DEFINITIONS

11 As used in this ~~section~~ chapter:

12 (1) “Dental services” means preventive, diagnostic, or corrective
13 procedures related to the teeth and associated structures of the oral cavity.

14 (2) “Dental therapist” means an individual licensed to practice as a
15 dental therapist under 26 V.S.A. chapter 12.

16 (3) “Dentist” means an individual licensed to practice dentistry under
17 26 V.S.A. chapter 12.

18 § 1992. MEDICAID COVERAGE FOR ADULT DENTAL SERVICES

19 (a) Vermont Medicaid shall provide coverage for medically necessary
20 dental services provided by a dentist or dental therapist working within the
21 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. **These services shall**
3 **not be counted toward the annual maximum benefit amount set forth in**
4 **subdivision (2) of this subsection.**

5 (2) Diagnostic, restorative, and endodontic procedures, to a maximum of
6 **\$1,800.00 over a three-year period \$1,000.00 per calendar year, provided**
7 that the Department of Vermont Health Access may approve expenditures in
8 excess of that amount when exceptional medical circumstances so require.

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

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

16 (2) ~~The Department of Vermont Health Access shall not reimburse~~
17 ~~for extraction of clinically sound teeth.~~

18 ~~**§ 1993. VDENT PROGRAM FOR MEDICARE BENEFICIARIES**~~

19 (a) ~~The VDent program is established as a State dental assistant~~
20 ~~program to provide access to affordable dental services for Medicare~~
21 ~~beneficiaries. The coverage provided in this section shall be available to~~

1 ~~Vermont residents enrolled in Medicare with income at or below 225~~
2 ~~percent of the federal poverty level.~~

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

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

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

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

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

16 Sec. 2. DENTAL ACCESS AND REIMBURSEMENT WORKING GROUP;
17 REPORT

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

1 (1) evaluate current Medicaid reimbursement rates to dentists, dental
2 therapists, and other providers of dental services and determine the amount of
3 fiscally responsible increases to the rates for specific services that would be
4 needed in order to attract additional providers to participate in the Vermont
5 Medicaid program; ~~and to encourage providers to participate in the VDent~~
6 program; and

7 (2) determine the feasibility of and costs associated with establishing
8 a State dental assistance program to provide access to affordable dental
9 services for Vermont residents who have lower income and are enrolled in
10 Medicare; and

11 (3) explore opportunities to further expand access to dental care in
12 Vermont, including:

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

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

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

1 (c) On or before November 1, 2019, the Department of Vermont Health
2 Access shall provide to the House Committee on Health Care and the Senate
3 Committee on Health and Welfare the working group’s findings and
4 recommendations regarding **the feasibility and costs of creating a dental**
5 **assistance program for Medicare beneficiaries as described in subdivision**
6 **(a)(3) of this section and on opportunities to further expand access to dental**
7 **care pursuant to as described in subdivision (a)(3) of this section.**

8 Sec. 3. AMENDMENTS TO ~~SECTION 1115 WAIVER AND MEDICAID~~
9 STATE PLAN

10 ~~(a) The If necessary, the Secretary of Human Services shall request~~
11 ~~approval from the Centers for Medicare and Medicaid Services for an~~
12 ~~amendment to Vermont’s Medicaid State Plan to include **the** expanded~~
13 ~~Medicaid dental benefits as set forth in 33 V.S.A. § 1992.~~

14 ~~(b) The Secretary of Human Services shall request approval from the~~
15 ~~Centers for Medicare and Medicaid Services for an amendment to~~
16 ~~Vermont’s Global Commitment to Health Section 1115 demonstration for~~
17 ~~federal financial participation in Vermont’s VDent program established in~~
18 ~~33 V.S.A. § 1993.~~

19 Sec. 4. EFFECTIVE DATES

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

4 (b) Sec. 1 (33 V.S.A. § 1992) shall take effect ~~upon~~ **on the later of July 1,**
5 **2019** or approval from the Centers for Medicare and Medicaid Services of the
6 State Plan amendment for expanded Medicaid dental benefits.

7 ~~(c) Sec. 1 (33 V.S.A. 1993) shall take effect upon approval from the~~
8 ~~Centers for Medicare and Medicaid Services of the amendment to~~
9 ~~Vermont’s Global Commitment to Health Section 1115 demonstration for~~
10 ~~federal financial participation in the VDent program.~~

11 and that after passage the title of the bill be amended to read: “An act
12 relating to expanding Medicaid beneficiaries’ access to dental care”

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18 (Committee vote: _____)

19 _____

20 Senator _____

21 FOR THE COMMITTEE