An Act To Improve Dental Health Access for Maine Children and Adults with Low Incomes

Reference to the Committee on Health and Human Services suggested and ordered printed.

Presented by Speaker FECTEAU of Biddeford.
Be it enacted by the People of the State of Maine as follows:

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

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

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

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

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

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

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

G. Other comprehensive preventive, diagnostic and restorative dental services to maintain good oral and overall health in accordance with rules adopted by the department.

Sec. 2. Rulemaking. By April 1, 2022, the Department of Health and Human Services shall adopt emergency rules to implement provisions of the Maine Revised Statutes, Title 22, section 3174-F. When adopting rules under this section, the department shall consider recommendations provided by the stakeholder group established pursuant to section 3.

Sec. 3. Convene stakeholder group. No later than October 1, 2021, the Department of Health and Human Services shall convene a stakeholder group to develop a plan for adult comprehensive preventive, diagnostic and restorative dental benefits under the MaineCare program.

1. Members. The stakeholder group consists of the Commissioner of Health and Human Services or the commissioner's designee and 12 members appointed by the commissioner as follows:

A. One member representing a statewide organization representing dentists;

B. One member representing a statewide organization representing dental hygienists;

C. One member representing a federally qualified health center;

D. One member representing a nonprofit dental clinic;

E. One member representing a nonprofit dental managed care organization;
F. One member with policy expertise or experience in promoting access to dental care for low-income individuals;

G. One member representing a philanthropic organization concerned with oral health;

H. One member with experience in public health policy and oral health;

I. One member with expertise in racial and ethnic health disparities;

J. Two members currently enrolled in the MaineCare program who would benefit from access to an adult dental benefit; and

K. One member of the general public.

2. Stakeholder group duties. The stakeholder group shall consider the matters in paragraphs A to I and develop a plan that includes:

A. Dental procedures and services that are aligned with evidence-based care, are medically necessary to maintain good oral and overall health and are appropriate to be included in an adult dental benefit under the MaineCare program;

B. Current MaineCare expenditures for emergency dental care;

C. Projected expenditures for adult dental services that include an adult comprehensive preventive, diagnostic and restorative dental benefit;

D. Anticipated cost savings resulting from reduced use of hospital emergency departments and prescription medication related to the relief of pain and infection as a result of the implementation of the plan;

E. Delivery and provider reimbursement models that will best ensure adequate access to quality dental care for all enrollees, improve provider participation, achieve healthy outcomes and promote fiscal and administrative efficiency for the long-term success of the MaineCare program;

F. Delivery methods including fee-for-service state administration and risk-based dental managed care organization carve-out models. The stakeholder group shall take into account differences among dental practice settings, including any differences in service delivery, payment methods and reimbursement amounts between private practices, community dental clinics, federally qualified and similarly situated health centers and hospital-affiliated providers;

G. An evaluation of existing oral health disparities for Maine racial minority, Indigenous and tribal populations and recommendations for strategies to reduce disparities through the implementation of the adult dental benefit;

H. Strategies to improve oral health education within the MaineCare program;

I. Metrics to measure outcomes including measures of provider participation and utilization of services; and

J. The plan must be submitted in a report to the Joint Standing Committee on Health and Human Services no later than January 2, 2022.

Sec. 4. Department of Health and Human Services to work with providers to encourage participation. The Department of Health and Human Services shall work with providers of oral health care and dental services to encourage participation in the
MaineCare program to ensure access to the services required by the Maine Revised Statutes, Title 22, section 3174-F, subsection 1.

Sec. 5. Department of Health and Human Services to develop a public education campaign. The Department of Health and Human Services shall develop public education materials including:

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

2. Materials provided to MaineCare members who are aging out of children's coverage under the MaineCare program and who are eligible to enroll as adult MaineCare members regarding the availability of the comprehensive adult dental benefit under Title 22, section 3174-F, subsection 1; and

3. Materials provided to MaineCare members and providers about the importance of oral health care in reducing health disparities experienced by Maine racial minority, Indigenous and tribal populations.

The department shall engage stakeholders, including providers of pediatric medical services, oral health care and dental services and community organizations with deep connections to Maine racial minority, Indigenous and tribal populations, in developing materials for distribution and strategies for the distribution of those materials.

Sec. 6. Report. The Department of Health and Human Services shall determine the costs of the comprehensive adult dental benefit under the Maine Revised Statutes, Title 22, section 3174-F, subsection 1 and the savings from reduced hospital emergency room visits and prescription drug costs from the provision of the comprehensive adult dental benefit for a period of 5 years beginning with the effective date of this Act. The department shall also provide demographic data on the utilization of the benefit, including by race, ethnicity, age and geographic location. The department shall also provide a report on its efforts to reduce oral health disparities for Maine racial minority, Indigenous and tribal populations. The costs and savings, demographic data and impact on disparities must be provided in a report to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs no later than January 2, 2027.

SUMMARY

This bill adds comprehensive preventive, diagnostic and restorative dental services to the limited dental services currently available to MaineCare members 21 years of age and over. It requires the Department of Health and Human Services to convene a stakeholder group no later than October 1, 2021 to assist in creating a plan to implement the adult health benefit. It requires the department to work with providers of oral health care and dental services to encourage participation in the MaineCare program. It requires the department to develop public education materials and strategies for the distribution of those materials relating to the importance of dental services for children and the availability of the comprehensive adult dental benefit to children covered by the MaineCare program who are
aging out of the program. It requires the department to provide a 5-year report relating to the comprehensive adult dental benefit on costs and savings, demographic data related to benefit use and efforts to reduce oral health disparities for Maine racial minority, Indigenous and tribal populations to the joint standing committees of the Legislature having jurisdiction over health and human services matters and appropriations and financial affairs no later than January 2, 2027.