

1                                   **MEDICAID DENTAL COVERAGE AMENDMENTS**

2   2019 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Allen M. Christensen**

5   House Sponsor: Steve Eliason

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7   **LONG TITLE**

8   **Committee Note:**

9               The Health and Human Services Interim Committee recommended this bill.

10 **General Description:**

11           This bill makes changes to the Medicaid adult dental services waiver program.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ expands Medicaid dental coverage to elderly Medicaid patients; and
- 15           ▶ adds the University of Utah School of Dentistry's associated statewide network to

16 the list of providers for adult dental services in the Medicaid program.

17 **Money Appropriated in this Bill:**

18           None

19 **Other Special Clauses:**

20           None

21 **Utah Code Sections Affected:**

22 AMENDS:

23           **26-18-413**, as last amended by Laws of Utah 2018, Chapter 78

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25 *Be it enacted by the Legislature of the state of Utah:*

26           Section 1. Section **26-18-413** is amended to read:

27           **26-18-413. Medicaid waiver for delivery of adult dental services.**



28 (1) (a) Before June 30, 2016, the department shall ask the United States Secretary of  
29 Health and Human Services to grant waivers from federal statutory and regulatory law  
30 necessary for the Medicaid program to provide dental services in the manner described in  
31 Subsection (2).

32 (b) Before June 30, 2018, the department shall submit to the Centers for Medicare and  
33 Medicaid Services a request for waivers, or an amendment of existing waivers, from federal  
34 law necessary for the state to provide dental services, in accordance with Subsections (2)(b)  
35 through (g), to an individual described in Subsection (2)(b)(i).

36 (c) Before June 30, 2019, the department shall submit to the Centers for Medicare and  
37 Medicaid Services a request for waivers, or an amendment to existing waivers, from federal  
38 law necessary for the state to provide dental services, in accordance with Subsections (2)(b)  
39 through (g) to an individual described in Subsection (2)(b)(ii).

40 (2) (a) To the extent funded, the department shall provide services to only blind or  
41 disabled individuals, as defined in 42 U.S.C. Sec. 1382c(a)(1), who are 18 years old or older  
42 and eligible for the program.

43 (b) Notwithstanding Subsection (2)(a)[;]:

44 (i) if a waiver is approved under Subsection (1)(b), the department shall provide dental  
45 services to an individual who:

46 [(i)] (A) qualifies for the health coverage improvement program described in Section  
47 26-18-411; and

48 [(i)] (B) is receiving treatment in a substance abuse treatment program, as defined in  
49 Section 62A-2-101, licensed under Title 62A, Chapter 2, Licensure of Programs and  
50 Facilities[;]; and

51 (ii) if a waiver is approved under Subsection (1)(c), the department shall provide dental  
52 services to an individual who is an aged individual as defined in 42 U.S.C. Sec. 1382c(a)(1).

53 (c) To the extent possible, services to individuals described in Subsection (2)(a)  
54 [~~within Salt Lake County~~] shall be provided through the University of Utah School of Dentistry  
55 and the University of Utah School of Dentistry's associated statewide network.

56 (d) The department shall provide the services to individuals described in Subsection  
57 (2)(b):

58 (i) by contracting with an entity that:

59 (A) has demonstrated experience working with individuals who are being treated for  
60 both a substance use disorder and a major oral health disease;

61 (B) operates a program, targeted at the individuals described in Subsection (2)(b), that  
62 has demonstrated, through a peer-reviewed evaluation, the effectiveness of providing dental  
63 treatment to those individuals described in Subsection (2)(b);

64 (C) is willing to pay for an amount equal to the program's non-federal share of the cost  
65 of providing dental services to the population described in Subsection (2)(b); and

66 (D) is willing to pay all state costs associated with applying for the waiver described in  
67 Subsection (1)(b) and administering the program described in Subsection (2)(b); and  
68 (ii) through a fee-for-service payment model.

69 (e) The entity that receives the contract under Subsection (2)(d)(i) shall cover all state  
70 costs of the program described in Subsection (2)(b).

71 (f) Each fiscal year, the University of Utah School of Dentistry shall transfer money to  
72 the program in an amount equal to the program's non-federal share of the cost of providing  
73 services under this section through the school during the fiscal year.

74 (g) During each general session of the Legislature, the department shall report to the  
75 Social Services Appropriations Subcommittee whether the University of Utah School of  
76 Dentistry will have sufficient funds to make the transfer required by Subsection (2)(f) for the  
77 current fiscal year.

78 (h) Where possible, the department shall ensure that services described in Subsection  
79 (2)(a) that are not provided by the University of Utah School of Dentistry or the University of  
80 Utah School of Dentistry's associated network are provided:

81 (i) through fee for service reimbursement until July 1, 2018; and

82 (ii) after July 1, 2018, through the method of reimbursement used by the division for  
83 Medicaid dental benefits.

84 (i) Subject to appropriations by the Legislature, and as determined by the department,  
85 the scope, amount, duration, and frequency of services may be limited.

86 (3) The reporting requirements of Section 26-18-3 apply to the waivers requested under  
87 Subsection (1).

88 (4) (a) If the waivers requested under Subsection (1)(a) are granted, the Medicaid  
89 program shall begin providing dental services in the manner described in Subsection (2) no

90 later than July 1, 2017.

91 (b) If the waivers requested under Subsection (1)(b) are granted, the Medicaid program  
92 shall begin providing dental services to the population described in Subsection (2)(b) within 90  
93 days from the day on which the waivers are granted.

94 (c) If the waivers requested under Subsection (1)(c) are granted, the Medicaid program  
95 shall begin providing dental services to the population described in Subsection (2)(b)(ii) within  
96 90 days after the day on which the waivers are granted.

97 (5) If the federal share of the cost of providing dental services under this section will be  
98 less than 65% during any portion of the next fiscal year, the Medicaid program shall cease  
99 providing dental services under this section no later than the end of the current fiscal year.