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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 35

07/13/2020 Authored by Liebling
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to health care; providing a onetime payment to medical assistance dental
1.3 providers to assist in covering the cost of personal protection equipment used when
1.4 providing dental services to medical assistance enrollees during the COVID
1.5 pandemic; appropriating money.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. PAYMENTS TO MEDICAL ASSISTANCE DENTAL PROVIDERS FOR
1.8 PERSONAL PROTECTIVE EQUIPMENT DURING THE COVID-19 PANDEMIC;
1.9 APPROPRIATION.

1.10 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
1.11 the meanings given.

1.12 (b) "Commissioner" means the commissioner of human services.

1.13 (c) "Eligible provider" means a dentist or dental clinic that:

1.14 (1) accepts patients who are covered by medical assistance;

1.15 (2) is actively enrolled as a medical assistance provider on September 15, 2020;

1.16 (3) is located in Minnesota;

1.17 (4) is not paid on a cost-based payment system; and

1.18 (5) has received at least \$5,000 in medical assistance payments from claims with a date
1.19 of service on or after October 1, 2019 through April 1,2020.

2.1 (d) "Medical assistance payments" means payments received for providing dental services  
2.2 to medical assistance enrollees from claims submitted to either the commissioner or to a  
2.3 managed care plan or county based purchasing plan, or to the plan's subcontractor.

2.4 Subd. 2. **Payments.** (a) By October 15, 2020, the commissioner shall pay a onetime  
2.5 payment to each eligible provider for the purpose of assisting in the increased costs incurred  
2.6 by the provider for personal protective equipment used by the provider when performing  
2.7 services during the COVID-19 pandemic. Any dentist or dental clinic that accepts a payment  
2.8 under this section attests, by accepting the payment, that the dentist or dental clinic has  
2.9 unreimbursable costs incurred on or after March 1, 2020, that are related to the purchase of  
2.10 personal protective equipment due to the COVID-19 pandemic, and are greater than the  
2.11 payment received.

2.12 (b) The payment to each eligible provider shall be based on a distribution formula  
2.13 established by the commissioner within the amount of the appropriation and the requirements  
2.14 of this section. The payment amount to be distributed to each eligible provider shall be  
2.15 based on the number of historical claims paid to the provider with a date of service on or  
2.16 after October 1, 2019, to April 1, 2020. The distribution formula shall use a fixed dollar  
2.17 amount to be determined by the commissioner not to exceed \$10 per claim. The commissioner  
2.18 shall only consider claims that the commissioner receives before August 1, 2020, for purposes  
2.19 of establishing the distribution formula.

2.20 (c) Notwithstanding paragraph (a), if a dentist or dental clinic meets the criteria in  
2.21 subdivision 1, paragraph (c), clauses (1) through (4), but enrolled as a medical assistance  
2.22 provider after October 1, 2019, the commissioner may calculate a payment using an  
2.23 alternative formula for the dentist or dental clinic.

2.24 (d) Any dentist or dental clinic that accepts a payment under this section must agree to  
2.25 continue to accept patients covered by medical assistance until December 30, 2020. If a  
2.26 dentist or dental clinic receives a payment under this section but fails to meet this  
2.27 requirement, the dentist or dental clinic must return the payment that the dentist or dental  
2.28 clinic received to the commissioner within 30 days of disenrollment as a medical assistance  
2.29 provider. The commissioner shall deposit any money that the commissioner receives under  
2.30 this paragraph to the coronavirus relief fund.

2.31 Subd. 3. **Appropriation.** \$5,000,000 is appropriated in fiscal year 2021 from the  
2.32 coronavirus relief fund to the commissioner of human services for the payments authorized  
2.33 in this section. The total amount of payments paid under this section must not exceed the  
2.34 amount appropriated. If based on the distribution formula specified in subdivision 2, there

- 3.1 are unobligated and unexpended funds from the appropriation, the commissioner shall return
- 3.2 these funds to the coronavirus relief fund by November 1, 2020.
- 3.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.