

**MEDICAID DENTAL BENEFITS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: Peter C. Knudson

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**LONG TITLE**

**General Description:**

This bill addresses dental benefits in the Medicaid program.

**Highlighted Provisions:**

This bill:

- ▶ provides dental benefits to certain adults in the Medicaid program.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-18-413**, as last amended by Laws of Utah 2017, Chapter 233

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

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

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

(1) (a) ~~[No later than]~~ Before June 30, 2016, the department shall ask the United States Secretary of Health and Human Services to grant waivers from federal statutory and regulatory law necessary for the Medicaid program to provide dental services in the manner described in Subsection (2).

(b) Before June 30, 2018, the department shall submit to the Centers for Medicare and Medicaid Services a request for waivers, or an amendment of existing waivers, from federal

30 law necessary for the state to provide dental services, in accordance with Subsections (2)(b)  
31 through (g), to an individual described in Subsection (2)(b).

32 (2) (a) To the extent funded, [~~services shall be provided~~] the department shall provide  
33 services to only blind or disabled individuals, as defined in 42 U.S.C. Sec. 1382c(a)(1), who  
34 are 18 years [of age] old or older and eligible for the program.

35 (b) Notwithstanding Subsection (2)(a), if a waiver is approved under Subsection (1)(b),  
36 the department shall provide dental services to an individual who:

37 (i) qualifies for the health coverage improvement program described in Section  
38 26-18-411; and

39 (ii) is receiving treatment in a substance abuse treatment program, as defined in Section  
40 62A-2-101, licensed under Title 62A, Chapter 2, Licensure of Programs and Facilities.

41 [~~(b)~~] (c) To the extent possible, services to individuals described in Subsection (2)(a)  
42 within Salt Lake County shall be provided through the University of Utah School of Dentistry.

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

45 (i) by contracting with an entity that:

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

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

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

53 (D) is willing to pay all state costs associated with applying for the waiver described in  
54 Subsection (1)(b) and administering the program described in Subsection (2)(b); and

55 (ii) through a fee-for-service payment model.

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

58           ~~[(e)]~~ (f) Each fiscal year, the University of Utah School of Dentistry shall transfer  
59 money to the program in an amount equal to the program's non-federal share of the cost of  
60 providing services under this section through the school during the fiscal year.

61           ~~[(d)]~~ (g) During each general session of the Legislature, the department shall report to  
62 the Social Services Appropriations Subcommittee whether the University of Utah School of  
63 Dentistry will have sufficient funds to make the transfer required by Subsection (2)~~[(e)]~~(f) for  
64 the current fiscal year.

65           ~~[(e)]~~ (h) Where possible, the department shall ensure that services that are not provided  
66 by the University of Utah School of Dentistry ~~[shall be]~~ are provided:

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

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

70           ~~[(f)]~~ (i) Subject to appropriations by the Legislature, and as determined by the  
71 department, the scope, amount, duration, and frequency of services may be limited.

72           (3) The reporting requirements of Section [26-18-3](#) apply to the waivers requested under  
73 Subsection (1).

74           (4) (a) If the waivers requested under Subsection (1)(a) are granted, the Medicaid  
75 program shall begin providing dental services in the manner described in Subsection (2) no  
76 later than July 1, 2017.

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

80           (5) If the federal share of the cost of providing dental services under this section will be  
81 less than 65% during any portion of the next fiscal year, the Medicaid program shall cease  
82 providing dental services under this section ~~[indefinitely]~~ no later than the end of the current  
83 fiscal year.