# 2009 -- S 0628

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# S T A T E  O F  R H O D E  I S L A N D

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2009**

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A N  A C T

RELATING TO HUMAN SERVICES - MEDICAL ASSISTANCE

Introduced By: Senators Ruggerio, Perry, Picard, Crowley, and DiPalma

Date Introduced: February 25, 2009

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

SECTION 1. Chapter 40-8 of the General Laws entitled "Medical Assistance" is hereby amended by adding thereto the following sections:

**40-8-27.1. Findings. --** The general assembly hereby finds and declares that the oral health of Medicaid-eligible residents in nursing facilities and Medicaid-eligible children in this state is unacceptably poor. Access to dental care statewide is insufficient for these populations. Private dentists who serve Medicaid residents do not receive sufficient reimbursement to cover the costs of care, and additionally may face complex and often unnecessarily cumbersome claim procedures to collect reimbursement from Medicaid.

**40-8-27.2. Access to oral health care for Medicaid-eligible nursing facility residents. –** Medicaid rates of payment for services of dental professionals licensed pursuant to chapter 31.1 of title 5 provided to Medicaid-eligible residents of nursing facilities licensed pursuant to chapter 17 of title 23 shall be restructured and enhanced to ensure reasonable access to oral health care for at least one-third (1/3) of all eligible nursing home residents by January 1, 2009; two-thirds (2/3) of all eligible nursing home residents by January 1, 2010; and all eligible nursing home residents by January 1, 2011. The department of human services shall provide for the organization and delivery of oral health care to nursing facility residents in an efficient and cost-effective manner.

**40-8-27.3. Access to oral health care for Medicaid-eligible children and pregnant women. --** The general assembly directs the department to develop an oral health care

coordination program to provide an adequate dental network of oral health providers and services that will enhance access to appropriate dental care for children who are Medicaid-eligible. This shall be accomplished through the use of contracted dental benefits management for the administration of Medicaid oral health benefit for eligible children through age eleven (11) by January 1, 2009; for eligible children through age fifteen (15) by January 1, 2010, and for eligible children through age eighteen (18) and pregnant women by January 1, 2011.

**40-8-27.4. State agency administration. –** The department of human services is designated as the single state agency responsible for the administration and supervision of the state's Medicaid program, including the federally mandated early periodic screening, diagnostic and treatment (EPSDT) program requiring comprehensive dental services for eligible children up to age twenty-one (21). The department is also designated as the state agency responsible for the administration and supervision of services to special populations such as the elderly and persons with special health care needs. The department of human services is hereby charged as the principal agency for the planning, coordination and implementation of strategies to address the immediate and urgent need to increase the quality, quantity, appropriations and purchasing efficiency of dental service for poor and low-income children and adults, the elderly, and special needs populations.

**40-8-27.5. Appropriation. --** The general assembly shall annually appropriate to the department of human services such funds, as it deems necessary, to enable the department to carry out the purposes of this section.

SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N  A C T

RELATING TO HUMAN SERVICES - MEDICAL ASSISTANCE

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This act would provide that Medicaid rates of payment to dental professionals would be restructured and enhanced, and that Medicaid-eligible residents in nursing facilities and Medicaid-eligible children will have better access to appropriate dental care.

This act would take effect upon passage.

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