

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	—	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Committee/Subcommittee hearing bill: Health Quality
2 Subcommittee

3 Representative Cummings offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7
8 Section 1. Section 381.4019, Florida Statutes, is created
9 to read:

10 381.4019 Dental care access accounts.—Subject to the
11 availability of funds, the Legislature establishes a joint local
12 and state dental care access account initiative and authorizes
13 the creation of dental care access accounts to promote economic
14 development by supporting qualified dentists who practice in
15 dental health professional shortage areas or medically
16 underserved areas or who treat a medically underserved
17 population. The Legislature recognizes that maintaining good

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18 oral health is integral to overall health status and that the
19 good health of residents of this state is an important
20 contributing factor in economic development. Better health,
21 including better oral health, enables workers to be more
22 productive, reduces the burden of health care costs, and enables
23 children to improve in cognitive development.

24 (1) As used in this section, the term:

25 (a) "Dental health professional shortage area" means a
26 geographic area so designated by the Health Resources and
27 Services Administration of the United States Department of
28 Health and Human Services.

29 (b) "Department" means the Department of Health.

30 (c) "Medically underserved area" means a geographic area
31 so designated by the Health Resources and Services
32 Administration of the United States Department of Health and
33 Human Services.

34 (d) "Public health program" means a county health
35 department, the Children's Medical Services program, a federally
36 qualified health center, a federally funded migrant health
37 center, or other publicly funded or nonprofit health care
38 program as designated by the department.

39 (2) The department shall develop and implement a dental
40 care access account initiative to benefit dentists licensed to
41 practice in this state who demonstrate, as required by the
42 department by rule:

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43 (a) Active employment by a public health program located
44 in a dental health professional shortage area or a medically
45 underserved area; or

46 (b) A commitment to opening a private practice in a dental
47 health professional shortage area or a medically underserved
48 area evidenced by residing in the designated area, maintaining
49 an active Medicaid provider agreement, enrolling in one or more
50 Medicaid managed care plans, expending sufficient capital to
51 make substantial progress in opening a dental practice that is
52 capable of serving at least 1,200 patients, and obtaining
53 financial support from the local community in which the dentist
54 is practicing or intending to open a practice.

55 (3) The department shall establish dental care access
56 accounts as individual benefit accounts for each dentist who
57 satisfies the requirements of subsection (2) and is selected by
58 the department for participation. The department shall implement
59 an electronic benefit transfer system that enables each dentist
60 to spend funds from his or her account for the purposes
61 described in subsection (4).

62 (4) Funds contributed from state and local sources to a
63 dental care access account may be used for one or more of the
64 following purposes:

65 (a) Repayment of dental school student loans.

66 (b) Investment in property, facilities, or equipment
67 necessary to establish and operate a dental office consisting of
68 no fewer than two operatories.

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69 (c) Payment of transitional expenses related to the
70 relocation or opening of a dental practice which are
71 specifically approved by the department.

72 (5) Subject to legislative appropriation, the department
73 shall distribute state funds as an award to each dental care
74 access account. Such awards must be in an amount not more than
75 \$100,000 and not less than \$10,000, except that a state award
76 may not exceed 3 times the amount contributed to an account in
77 the same year from local sources. If a dentist qualifies for a
78 dental care access account under paragraph (2) (a), the dentist's
79 salary and associated employer expenditures constitute a local
80 match and qualify the account for a state award if the salary
81 and associated expenditures do not come from state funds. State
82 funds may not be included in a determination of the amount
83 contributed to an account from local sources.

84 (6) The department may accept contributions of funds from
85 local sources for deposit in the account of a dentist designated
86 by the donor.

87 (7) The department shall close an account no later than 5
88 years after the first deposit of state or local funds into that
89 account or immediately upon the occurrence of any of the
90 following:

91 (a) Termination of the dentist's employment with a public
92 health program, unless, within 30 days of such termination, the
93 dentist opens a private practice in a dental health professional
94 shortage area or medically underserved area.

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95 (b) Termination of the dentist's practice in a designated
96 dental health professional shortage area or medically
97 underserved area.

98 (c) Termination of the dentist's participation in the
99 Florida Medicaid program.

100 (d) Participation by the dentist in any fraudulent
101 activity.

102 (8) Any state funds remaining in a closed account may be
103 awarded and transferred to another account concurrent with the
104 distribution of funds under the next legislative appropriation
105 for the initiative. The department shall return to the donor on
106 a pro rata basis unspent funds from local sources which remain
107 in a closed account.

108 (9) If the department determines that a dentist has
109 withdrawn account funds after the occurrence of an event
110 specified in subsection (7), has used funds for purposes not
111 authorized in subsection (4), or has not remained eligible for a
112 dental care access account for a minimum of 2 years, the dentist
113 shall repay the funds to his or her account. The department may
114 recover the withdrawn funds through disciplinary enforcement
115 actions and other methods authorized by law.

116 (10) The department shall establish by rule:

117 (a) Application procedures for dentists who wish to apply
118 for a dental care access account. An applicant may demonstrate
119 that he or she has expended sufficient capital to make
120 substantial progress in opening a dental practice that is

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121 capable of serving at least 1,200 patients by documenting
122 contracts for the purchase or lease of a practice location and
123 providing executed obligations for the purchase or other
124 acquisition of at least 30 percent of the value of equipment or
125 supplies necessary to operate a dental practice. The department
126 may limit the number of applicants selected and shall give
127 priority to those applicants practicing in the areas receiving
128 higher rankings pursuant to subsection (11). The department may
129 establish additional criteria for selection which recognize an
130 applicant's active engagement with and commitment to the
131 community providing a local match.

132 (b) A process to verify that funds withdrawn from a dental
133 care access account have been used solely for the purposes
134 described in subsection (4).

135 (11) The Department of Economic Opportunity shall rank the
136 dental health professional shortage areas and medically
137 underserved areas of the state based on the extent to which
138 limited access to dental care is impeding the area's economic
139 development, with a higher ranking indicating a greater
140 impediment to development.

141 (12) The department shall develop a marketing plan for the
142 dental care access account initiative in cooperation with the
143 University of Florida College of Dentistry, the Nova
144 Southeastern University College of Dental Medicine, the Lake
145 Erie College of Osteopathic Medicine School of Dental Medicine,
146 and the Florida Dental Association.

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147 (13) (a) Beginning on January 1, 2017, the department
148 shall, by January 1 of each year, issue a report to the
149 Governor, the President of the Senate, and the Speaker of the
150 House of Representatives, which shall include:

151 1. The number of patients served by dentists receiving
152 funding under this section.

153 2. The number of Medicaid recipients served by dentists
154 receiving funding under this section.

155 3. The average number of hours worked and patients served
156 in a week by dentists receiving funding under this section.

157 4. The number of dentists in each dental health
158 professional shortage area or medically underserved area
159 receiving funding under this section.

160 5. The amount and source of local matching funds received
161 by the department.

162 6. The amount of state funds awarded to dentists under
163 this section.

164 7. A complete accounting of the use of funds, by
165 categories identified by the department, including, but not
166 limited to, loans, supplies, equipment, rental property
167 payments, real property purchases, and salary and wages.

168 (b) The department shall adopt rules to require dentists
169 to report information to the department that is necessary for
170 the department to fulfill its reporting requirement under this
171 subsection.

172 Section 2. This act shall take effect July 1, 2015.

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:
An act relating to dental care; creating s. 381.4019, F.S.;
establishing a joint local and state dental care access account
initiative, subject to the availability of funding; authorizing
the creation of dental care access accounts; specifying the
purpose of the initiative; defining terms; providing criteria
for the selection of dentists for participation in the
initiative; providing for the establishment of accounts;
requiring the Department of Health to implement an electronic
benefit transfer system; providing for the use of funds
deposited in the accounts; authorizing the department to
distribute state funds to accounts subject to legislative
appropriations; authorizing the department to accept
contributions from local sources for deposit in designated
accounts; limiting the number of years that an account may
remain open; providing for the immediate closure of accounts
under certain circumstances; authorizing the department to
transfer state funds remaining in a closed account at a
specified time and to return unspent funds from local sources;
requiring a dentist to repay funds in certain circumstances;
authorizing the department to pursue disciplinary enforcement
actions and to use other legal means to recover funds; requiring

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Bill No. HB 657 (2015)

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199 the department to establish by rule application procedures and a
200 process to verify the use of funds withdrawn from a dental care
201 access account; requiring the department to give priority to
202 applications from dentists practicing in certain areas;
203 requiring the Department of Economic Opportunity to rank
204 shortage areas and medically underserved areas; requiring the
205 Department of Health to develop a marketing plan in cooperation
206 with certain dental colleges and the Florida Dental Association;
207 requiring the Department of Health to annually submit a report
208 with certain information to the Governor and the Legislature;
209 providing rulemaking authority for such reporting requirement;
210 providing an effective date.

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