

By Senator Bullard

39-1563-03

See HB 1419

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A bill to be entitled  
An act relating to elder dental care; amending  
s. 409.906, F.S.; authorizing the Agency for  
Health Care Administration to provide certain  
elder persons with Medicaid coverage for  
dentures and basic preventive dental care;  
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 409.906, Florida  
Statutes, is amended to read:

409.906 Optional Medicaid services.--Subject to  
specific appropriations, the agency may make payments for  
services which are optional to the state under Title XIX of  
the Social Security Act and are furnished by Medicaid  
providers to recipients who are determined to be eligible on  
the dates on which the services were provided. Any optional  
service that is provided shall be provided only when medically  
necessary and in accordance with state and federal law.  
Optional services rendered by providers in mobile units to  
Medicaid recipients may be restricted or prohibited by the  
agency. Nothing in this section shall be construed to prevent  
or limit the agency from adjusting fees, reimbursement rates,  
lengths of stay, number of visits, or number of services, or  
making any other adjustments necessary to comply with the  
availability of moneys and any limitations or directions  
provided for in the General Appropriations Act or chapter 216.  
If necessary to safeguard the state's systems of providing  
services to elderly and disabled persons and subject to the  
notice and review provisions of s. 216.177, the Governor may

1 direct the Agency for Health Care Administration to amend the  
2 Medicaid state plan to delete the optional Medicaid service  
3 known as "Intermediate Care Facilities for the Developmentally  
4 Disabled." Optional services may include:

5 (1) ADULT DENTAL AND DENTURE SERVICES.--The agency may  
6 pay for medically necessary, emergency dental procedures to  
7 alleviate pain or infection. Emergency dental care shall be  
8 limited to emergency oral examinations, necessary radiographs,  
9 extractions, and incision and drainage of abscess, for a  
10 recipient who is age 21 or older. However, Medicaid will not  
11 provide reimbursement for dental services provided in a mobile  
12 dental unit, except for a mobile dental unit:

13 (a) Owned by, operated by, or having a contractual  
14 agreement with the Department of Health and complying with  
15 Medicaid's county health department clinic services program  
16 specifications as a county health department clinic services  
17 provider.

18 (b) Owned by, operated by, or having a contractual  
19 arrangement with a federally qualified health center and  
20 complying with Medicaid's federally qualified health center  
21 specifications as a federally qualified health center  
22 provider.

23 (c) Rendering dental services to Medicaid recipients,  
24 21 years of age and older, at nursing facilities.

25 (d) Owned by, operated by, or having a contractual  
26 agreement with a state-approved dental educational  
27 institution.

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29 Notwithstanding the provisions of this subsection, the agency  
30 may provide persons who are 65 or older, whose income is at or  
31 below 88 percent of the federal poverty level, and whose

1 assets do not exceed specified limitations Medicaid coverage  
2 for dentures and denture services and basic preventive dental  
3 care. Denture services shall consist of procedures to seat  
4 dentures and the repair and relining of dentures, provided by  
5 or under the direction of a licensed dentist. Basic preventive  
6 dental care shall consist of one nonemergency examination and  
7 one basic cleaning per year.

8 Section 2. This act shall take effect upon becoming a  
9 law.

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