

1 A bill to be entitled

2 An act relating to the statewide prepaid dental
3 program; creating s. 409.91205, F.S.; providing
4 legislative findings and intent; creating the Medicaid
5 statewide prepaid dental program; directing the Agency
6 for Health Care Administration to contract with
7 prepaid dental health plans meeting specified
8 criteria; directing the agency to apply for and
9 implement state plan amendments or waivers of
10 applicable federal laws and regulations necessary to
11 implement the statewide prepaid dental program;
12 directing the agency to extend certain contracts with
13 prepaid dental health plans; providing that enrollment
14 in the statewide prepaid dental program shall not
15 begin until the necessary state plan amendments or
16 waivers of applicable federal laws and regulations are
17 obtained and implemented; providing that a child who
18 is eligible to receive Medicaid benefits during a
19 specified period shall receive dental services through
20 the Medicaid managed medical assistance program;
21 directing the agency to provide any required notice to
22 recipients regarding the transition from the Medicaid
23 managed medical assistance program to the statewide
24 prepaid dental program; providing that the agency may
25 assess the costs incurred in providing the notice to
26 plans participating in the statewide prepaid dental

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27 program; requiring prepaid dental plans participating
 28 in the statewide prepaid dental program to submit
 29 encounter data; providing that the agency shall
 30 require a medical loss ratio for prepaid dental plans
 31 participating in the statewide prepaid dental program;
 32 requiring the agency to submit an annual report to the
 33 Governor and Legislature; specifying the contents of
 34 the report; amending s. 409.973, F.S.; removing the
 35 requirement that managed care plans participating in
 36 the Medicaid managed assistance program provide
 37 pediatric dental services; providing an effective
 38 date.

39
 40 Be It Enacted by the Legislature of the State of Florida:

41
 42 Section 1. Section 409.91205, Florida Statutes, is created
 43 to read:

44 409.91205 Statewide prepaid dental program.—

45 (1) The Legislature finds and declares that the design and
 46 delivery of children's Medicaid dental services should be
 47 directed by the principle that the health of children is an
 48 overriding concern. The Legislature also finds that the delivery
 49 of dental services as compared to other health care services is
 50 considerably different and, considering the historical
 51 shortcomings of access to dental care in Florida, special
 52 attention must be given to children's accessibility to dental

53 care and provider network sustainability. Therefore, it is the
54 intent of the Legislature that a Medicaid prepaid dental program
55 be established, on a statewide basis in all counties, separate
56 and apart from the Medicaid managed medical assistance program
57 described in ss. 409.961-409.985. Further, the Legislature finds
58 that it is of paramount interest to the Medicaid program that
59 continuous and high-quality dental care be provided to Medicaid
60 recipients, and thus the agency shall ensure a seamless
61 transition of the responsibility for the provision of dental
62 services to children from the managed medical assistance program
63 to the statewide prepaid dental program.

64 (2) Notwithstanding ss. 409.961-409.985, the agency shall
65 implement the statewide prepaid dental program by contracting on
66 a prepaid or fixed-sum basis with at least two appropriately
67 licensed prepaid dental health plans to provide dental services
68 to children statewide that demonstrate extensive experience in
69 administering dental benefits for children enrolled in Medicaid
70 and that have experience in constructing and maintaining
71 statewide dental and specialty dental provider networks for
72 Medicaid programs.

73 (a) The agency shall apply for and implement state plan
74 amendments or waivers of applicable federal laws and regulations
75 necessary to implement the statewide prepaid dental program.

76 (b) In order to ensure that continuous and high-quality
77 dental care is provided to Medicaid recipients upon receiving
78 the necessary federal approval for the statewide prepaid dental

79 program, the agency shall extend the existing contracts with
80 licensed prepaid dental health plans as described in s.
81 409.912(41). The agency shall amend the existing contracts to
82 include all counties.

83 (c) Enrollment in the statewide prepaid dental program
84 shall not begin until the necessary state plan amendments or
85 waivers of applicable federal laws and regulations are obtained
86 and implemented; however, enrollment shall begin no later than
87 September 1, 2015.

88 (d) A child who is eligible to receive Medicaid benefits
89 between the date that this act takes effect and the
90 implementation of the statewide prepaid dental plans shall
91 receive dental services as provided in ss. 409.961-409.985 until
92 the child is eligible to enroll in the statewide prepaid dental
93 program.

94 (e) Before enrollment in the statewide prepaid dental
95 program, the agency shall provide any required notice to
96 recipients regarding the transition. The agency may assess the
97 costs incurred in providing the notice to the plans
98 participating in the statewide prepaid dental program.

99 (f) The prepaid dental plans participating in the
100 statewide prepaid dental program shall be required by contract
101 to submit encounter data as described in s. 409.967(2)(d).

102 (g) The agency shall require a medical loss ratio of 85
103 percent for prepaid dental plans participating in the statewide
104 prepaid dental program. The calculation shall use uniform

105 financial data collected from all plans and shall be computed
 106 for each plan on a statewide basis. The method for calculating
 107 the medical loss ratio shall require that expenditures be
 108 classified in a manner consistent with 45 C.F.R. part 158.

109 (3) The agency shall submit a report by January 15 of each
 110 year on operation of the statewide prepaid dental program to the
 111 Governor, the President of the Senate, and the Speaker of the
 112 House of Representatives which compares the combined annual
 113 benefits utilization and encounter data reported by all
 114 participating prepaid dental plans, along with the agency's
 115 findings with respect to projected and budgeted annual program
 116 costs, the extent to which each plan is complying with all
 117 contract terms and conditions, the effect that each plan's
 118 operation is having on access to care for Medicaid recipients in
 119 the plan's service area, and the statistical trends associated
 120 with indicators of good oral health among all recipients served
 121 in comparison with the state's population as a whole.

122 Section 2. Paragraph (e) of subsection (1) of section
 123 409.973, Florida Statutes, is amended to read:

124 409.973 Benefits.—

125 (1) MINIMUM BENEFITS.—Managed care plans shall cover, at a
 126 minimum, the following services:

127 (e) Adult dental services as described in s. 409.906(1).

128 Section 3. This act shall take effect upon becoming a law.