

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 competitively procure licensed
13 prepaid dental health plans; prohibiting the agency
14 from extending certain existing contracts; providing
15 that enrollment in the statewide prepaid dental
16 program shall not begin until the necessary state plan
17 amendments or waivers of applicable federal laws and
18 regulations are obtained and implemented; providing
19 that a child who is eligible to receive Medicaid
20 benefits during a specified period shall receive
21 dental services through the Medicaid managed medical
22 assistance program; directing the agency to provide
23 any required notice to recipients regarding the
24 transition from the Medicaid managed medical
25 assistance program to the statewide prepaid dental
26 program; providing that the agency may assess the

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

41
 42 Be It Enacted by the Legislature of the State of Florida:

43
 44 Section 1. Section 409.91205, Florida Statutes, is created
 45 to read:

46 409.91205 Statewide prepaid dental program.—
 47 (1) The Legislature finds and declares that the design and
 48 delivery of children's Medicaid dental services should be
 49 directed by the principle that the health of children is an
 50 overriding concern. The Legislature also finds that the delivery
 51 of dental services as compared to other health care services is
 52 considerably different and, considering the historical

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

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

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

78 (b) Upon receiving the necessary federal approval for the
79 statewide prepaid dental program, the agency shall competitively
80 procure at least two appropriately licensed prepaid dental
81 health plans to provide dental services to children statewide.
82 The agency may not extend the existing contracts with licensed
83 prepaid dental health plans as described in s. 409.912(41).

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

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

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

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

103 (g) The agency shall require a medical loss ratio of 85
104 percent for prepaid dental plans participating in the statewide
105 prepaid dental program. The calculation shall use uniform
106 financial data collected from all plans and shall be computed
107 for each plan on a statewide basis. The method for calculating
108 the medical loss ratio shall require that expenditures be
109 classified in a manner consistent with 45 C.F.R. part 158.

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

123 Section 2. Paragraph (e) of subsection (1) of section
124 409.973, Florida Statutes, is amended to read:

125 409.973 Benefits.—

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

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

CS/CS/HB 27

2014

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