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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2014	.	
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The Committee on Community Affairs (Stargel) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

409.91205 Statewide prepaid dental program.—

(1) The Legislature finds and declares that the design and
delivery of children's Medicaid dental services should be
directed by the principle that the health of children is an



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11 overriding concern. The Legislature also finds that the delivery
12 of dental services as compared to other health care services is
13 considerably different and, considering the historical
14 shortcomings of access to dental care in Florida, special
15 attention must be given to children's accessibility to dental
16 care and provider network sustainability. Therefore, it is the
17 intent of the Legislature that a Medicaid prepaid dental program
18 be established, on a statewide basis in all counties, separate
19 and apart from the Medicaid managed medical assistance program
20 described in ss. 409.961-409.985. Further, the Legislature finds
21 that it is of paramount interest to the Medicaid program that
22 continuous and high-quality dental care be provided to Medicaid
23 recipients, and thus the agency shall ensure a seamless
24 transition of the responsibility for the provision of dental
25 services to children from the managed medical assistance program
26 to the statewide prepaid dental program.

27 (2) Notwithstanding ss. 409.961-409.985, the agency shall
28 implement the statewide prepaid dental program by contracting on
29 a prepaid or fixed-sum basis with at least two appropriately
30 licensed prepaid dental health plans to provide dental services
31 to children statewide that demonstrate extensive experience in
32 administering dental benefits for children enrolled in Medicaid
33 and that have experience in constructing and maintaining
34 statewide dental and specialty dental provider networks for
35 Medicaid programs.

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

39 (b) In order to ensure that continuous and high-quality



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40 dental care is provided to Medicaid recipients upon receiving
41 the necessary federal approval for the statewide prepaid dental
42 program, the agency shall extend the existing contracts with
43 licensed prepaid dental health plans as described in s.
44 409.912(41). The agency shall amend the existing contracts to
45 include all counties.

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

51 (d) A child who is eligible to receive Medicaid benefits
52 between the date that this act takes effect and the
53 implementation of the statewide prepaid dental plans shall
54 receive dental services as provided in ss. 409.961-409.985 until
55 the child is eligible to enroll in the statewide prepaid dental
56 program.

57 (e) Before enrollment in the statewide prepaid dental
58 program, the agency shall provide any required notice to
59 recipients regarding the transition. The agency may assess the
60 costs incurred in providing the notice to the plans
61 participating in the statewide prepaid dental program.

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

65 (g) The agency shall require a medical loss ratio of 85
66 percent for prepaid dental plans participating in the statewide
67 prepaid dental program. The calculation shall use uniform
68 financial data collected from all plans and shall be computed



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69 for each plan on a statewide basis. The method for calculating
70 the medical loss ratio shall require that expenditures be
71 classified in a manner consistent with 45 C.F.R. part 158.

72 (3) The agency shall submit a report by January 15 of each
73 year on operation of the statewide prepaid dental program to the
74 Governor, the President of the Senate, and the Speaker of the
75 House of Representatives which compares the combined annual
76 benefits utilization and encounter data reported by all
77 participating prepaid dental plans, along with the agency's
78 findings with respect to projected and budgeted annual program
79 costs, the extent to which each plan is complying with all
80 contract terms and conditions, the effect that each plan's
81 operation is having on access to care for Medicaid recipients in
82 the plan's service area, and the statistical trends associated
83 with indicators of good oral health among all recipients served
84 in comparison with the state's population as a whole.

85 Section 2. Paragraph (e) of subsection (1) of section
86 409.973, Florida Statutes, is amended to read:

87 409.973 Benefits.—

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

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

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

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

94 And the title is amended as follows:

95 Delete everything before the enacting clause
96 and insert:

97 A bill to be entitled



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98 An act relating to the statewide prepaid dental
99 program; creating s. 409.91205, F.S.; providing
100 legislative findings and intent; creating the Medicaid
101 statewide prepaid dental program; directing the Agency
102 for Health Care Administration to contract with
103 prepaid dental health plans meeting specified
104 criteria; directing the agency to apply for and
105 implement state plan amendments or waivers of
106 applicable federal laws and regulations necessary to
107 implement the statewide prepaid dental program;
108 directing the agency to extend certain contracts with
109 prepaid dental health plans; providing that enrollment
110 in the statewide prepaid dental program shall not
111 begin until the necessary state plan amendments or
112 waivers of applicable federal laws and regulations are
113 obtained and implemented; providing that a child who
114 is eligible to receive Medicaid benefits during a
115 specified period shall receive dental services through
116 the Medicaid managed medical assistance program;
117 directing the agency to provide any required notice to
118 recipients regarding the transition from the Medicaid
119 managed medical assistance program to the statewide
120 prepaid dental program; providing that the agency may
121 assess the costs incurred in providing the notice to
122 plans participating in the statewide prepaid dental
123 program; requiring prepaid dental plans participating
124 in the statewide prepaid dental program to submit
125 encounter data; providing that the agency shall
126 require a medical loss ratio for prepaid dental plans



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127 participating in the statewide prepaid dental program;
128 requiring the agency to submit an annual report to the
129 Governor and Legislature; specifying the contents of
130 the report; amending s. 409.973, F.S.; removing the
131 requirement that managed care plans participating in
132 the Medicaid managed assistance program provide
133 pediatric dental services; providing an effective
134 date.