

By the Committee on Community Affairs; and Senators Flores,  
Hays, and Ring

578-02846-14

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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 issue a competitive  
13      procurement to licensed prepaid dental health plans to  
14      implement the program; requiring that the agency  
15      include all counties in the procurement; providing  
16      that all existing contracts become null and void upon  
17      procurement of new contracts; providing that  
18      enrollment in the statewide prepaid dental program  
19      shall not begin until the necessary state plan  
20      amendments or waivers of applicable federal laws and  
21      regulations are obtained and implemented; providing  
22      that a child who is eligible to receive Medicaid  
23      benefits during a specified period shall receive  
24      dental services through the Medicaid managed medical  
25      assistance program; directing the agency to provide  
26      any required notice to recipients regarding the  
27      transition from the Medicaid managed medical  
28      assistance program to the statewide prepaid dental  
29      program; providing that the agency may assess the

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

44  
45 Be It Enacted by the Legislature of the State of Florida:

46  
47 Section 1. Section 409.91205, Florida Statutes, is created  
48 to read:

49 409.91205 Statewide prepaid dental program.-

50 (1) The Legislature finds and declares that the design and  
51 delivery of children's Medicaid dental services should be  
52 directed by the principle that the health of children is an  
53 overriding concern. The Legislature also finds that the delivery  
54 of dental services as compared to other health care services is  
55 considerably different and, considering the historical  
56 shortcomings of access to dental care in Florida, special  
57 attention must be given to children's accessibility to dental  
58 care and provider network sustainability. Therefore, it is the

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

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

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

81 (b) Upon receiving the necessary federal approval for the  
82 statewide prepaid dental program and in order to ensure that  
83 high-quality dental care is provided to Medicaid recipients, the  
84 agency shall issue a competitive procurement to licensed prepaid  
85 dental health plans to implement the dental health program. The  
86 agency shall include all counties in the competitive  
87 procurement. All existing contracts entered into with licensed

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88 prepaid dental health plans become null and void upon  
89 procurement of new contracts.

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

95 (d) A child who is eligible to receive Medicaid benefits  
96 between the date that this act takes effect and the  
97 implementation of the statewide prepaid dental plans shall  
98 receive dental services as provided in ss. 409.961-409.985 until  
99 the child is eligible to enroll in the statewide prepaid dental  
100 program.

101 (e) Before enrollment in the statewide prepaid dental  
102 program, the agency shall provide any required notice to  
103 recipients regarding the transition. The agency may assess the  
104 costs incurred in providing the notice to the plans  
105 participating in the statewide prepaid dental program.

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

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

116 (3) The agency shall submit a report by January 15 of each

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117 year on operation of the statewide prepaid dental program to the  
118 Governor, the President of the Senate, and the Speaker of the  
119 House of Representatives which compares the combined annual  
120 benefits utilization and encounter data reported by all  
121 participating prepaid dental plans, along with the agency's  
122 findings with respect to projected and budgeted annual program  
123 costs, the extent to which each plan is complying with all  
124 contract terms and conditions, the effect that each plan's  
125 operation is having on access to care for Medicaid recipients in  
126 the plan's service area, and the statistical trends associated  
127 with indicators of good oral health among all recipients served  
128 in comparison with the state's population as a whole.

129 Section 2. Paragraph (e) of subsection (1) of section  
130 409.973, Florida Statutes, is amended to read:

131 409.973 Benefits.—

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

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

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