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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/04/2015	.	
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The Committee on Health Policy (Gaetz) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 44 - 146  
and insert:  
underserved areas or who treat a medically underserved  
population. The Legislature recognizes that maintaining good  
oral health is integral to overall health status and that the  
good health of residents of this state is an important  
contributing factor in economic development. Better health,  
including better oral health, enables workers to be more



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11 productive, reduces the burden of health care costs, and enables  
12 children to improve in cognitive development.

13 (1) As used in this section, the term:

14 (a) "Dental health professional shortage area" means a  
15 geographic area so designated by the Health Resources and  
16 Services Administration of the United States Department of  
17 Health and Human Services.

18 (b) "Department" means the Department of Health.

19 (c) "Medically underserved area" means a geographic area so  
20 designated by the Health Resources and Services Administration  
21 of the United States Department of Health and Human Services.

22 (d) "Public health program" means a county health  
23 department, the Children's Medical Services program, a federally  
24 funded community health center, a federally funded migrant  
25 health center, or other publicly funded or nonprofit health care  
26 program as designated by the department.

27 (2) The department shall develop and implement a dental  
28 care access account initiative to benefit dentists licensed to  
29 practice in this state who demonstrate, as required by the  
30 department by rule:

31 (a) Active employment by a public health program located in  
32 a dental health professional shortage area or a medically  
33 underserved area; or

34 (b) A commitment to opening a private practice in a dental  
35 health professional shortage area or a medically underserved  
36 area evidenced by residing in the designated area, maintaining  
37 an active Medicaid provider agreement, enrolling in one or more  
38 Medicaid managed care plans, expending sufficient capital to  
39 make substantial progress in opening a dental practice that is



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40 capable of serving at least 1,200 patients, and obtaining  
41 financial support from the local community in which the dentist  
42 is practicing or intending to open a practice.

43 (3) The department shall establish dental care access  
44 accounts as individual benefit accounts for each dentist who  
45 satisfies the requirements of subsection (2) and is selected by  
46 the department for participation. The department shall implement  
47 an electronic benefit transfer system that enables each dentist  
48 to spend funds from his or her account for the purposes  
49 described in subsection (4).

50 (4) Funds contributed from state and local sources to a  
51 dental care access account may be used for one or more of the  
52 following purposes:

53 (a) Repayment of dental school student loans.

54 (b) Investment in property, facilities, or equipment  
55 necessary to establish and operate a dental office consisting of  
56 no fewer than two operatories.

57 (c) Payment of transitional expenses related to the  
58 relocation or opening of a dental practice which are  
59 specifically approved by the department.

60 (5) Subject to legislative appropriation, the department  
61 shall distribute state funds as an award to each dental care  
62 access account. Such awards must be in an amount not more than  
63 \$100,000 and not less than \$10,000, except that a state award  
64 may not exceed 3 times the amount contributed to an account in  
65 the same year from local sources. If a dentist qualifies for a  
66 dental care access account under paragraph (2)(a), the dentist's  
67 salary and associated employer expenditures constitute a local  
68 match and qualify the account for a state award if the salary



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69 and associated expenditures do not come from state funds. State  
70 funds may not be included in a determination of the amount  
71 contributed to an account from local sources.

72 (6) The department may accept contributions of funds from  
73 local sources for deposit in the account of a dentist designated  
74 by the donor.

75 (7) The department shall close an account no later than 5  
76 years after the first deposit of state or local funds into that  
77 account or immediately upon the occurrence of any of the  
78 following:

79 (a) Termination of the dentist's employment with a public  
80 health program, unless, within 30 days of such termination, the  
81 dentist opens a private practice in a dental health professional  
82 shortage area or medically underserved area.

83 (b) Termination of the dentist's practice in a designated  
84 dental health professional shortage area or medically  
85 underserved area.

86 (c) Termination of the dentist's participation in the  
87 Florida Medicaid program.

88 (d) Participation by the dentist in any fraudulent  
89 activity.

90 (8) Any state funds remaining in a closed account may be  
91 awarded and transferred to another account concurrent with the  
92 distribution of funds under the next legislative appropriation  
93 for the initiative. The department shall return to the donor on  
94 a pro rata basis unspent funds from local sources which remain  
95 in a closed account.

96 (9) If the department determines that a dentist has  
97 withdrawn account funds after the occurrence of an event



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98 specified in subsection (7), has used funds for purposes not  
99 authorized in subsection (4), or has not remained eligible for a  
100 dental care access account for a minimum of 2 years, the dentist  
101 shall repay the funds to his or her account. The department may  
102 recover the withdrawn funds through disciplinary enforcement  
103 actions and other methods authorized by law.

104 (10) The department shall establish by rule:

105 (a) Application procedures for dentists who wish to apply  
106 for a dental care access account. An applicant may demonstrate  
107 that he or she has expended sufficient capital to make  
108 substantial progress in opening a dental practice that is  
109 capable of serving at least 1,200 patients by documenting  
110 contracts for the purchase or lease of a practice location and  
111 providing executed obligations for the purchase or other  
112 acquisition of at least 30 percent of the value of equipment or  
113 supplies necessary to operate a dental practice. The department  
114 may limit the number of applicants selected and shall give  
115 priority to those applicants practicing in the areas receiving  
116 higher rankings pursuant to subsection (11). The department may  
117 establish additional criteria for selection which recognize an  
118 applicant's active engagement with and commitment to the  
119 community providing a local match.

120 (b) A process to verify that funds withdrawn from a dental  
121 care access account have been used solely for the purposes  
122 described in subsection (4).

123 (11) The Department of Economic Opportunity shall rank the  
124 dental health professional shortage areas and medically  
125 underserved areas of the state based on the extent to which  
126 limited access to dental care is impeding the area's economic



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127 development, with a higher ranking indicating a greater  
128 impediment to development.

129 (12) The department shall develop a marketing plan for the  
130 dental care access account initiative in cooperation with the  
131 University of Florida College of Dentistry, the Nova  
132 Southeastern University College of Dental Medicine, the Lake  
133 Erie College of Osteopathic Medicine School of Dental Medicine,  
134 and the Florida Dental Association.

135  
136 ===== T I T L E A M E N D M E N T =====

137 And the title is amended as follows:

138 Delete lines 25 - 31

139 and insert:

140 disciplinary enforcement actions and to use other  
141 legal means to recover funds; requiring the department  
142 to establish by rule application procedures and a  
143 process to verify the use of funds withdrawn from a  
144 dental care access account; requiring the department  
145 to give priority to applications from dentists  
146 practicing in certain areas; requiring the Department  
147 of Economic Opportunity to rank shortage areas and  
148 medically underserved areas; requiring the Department  
149 of Health to develop a marketing plan in cooperation  
150 with certain dental colleges and the Florida Dental  
151 Association; providing an